ALAN BRINKLEY ON LUKAS • RICHARD WOLIN ON JUNG

OCTOBER 27, 1997 • $3.50

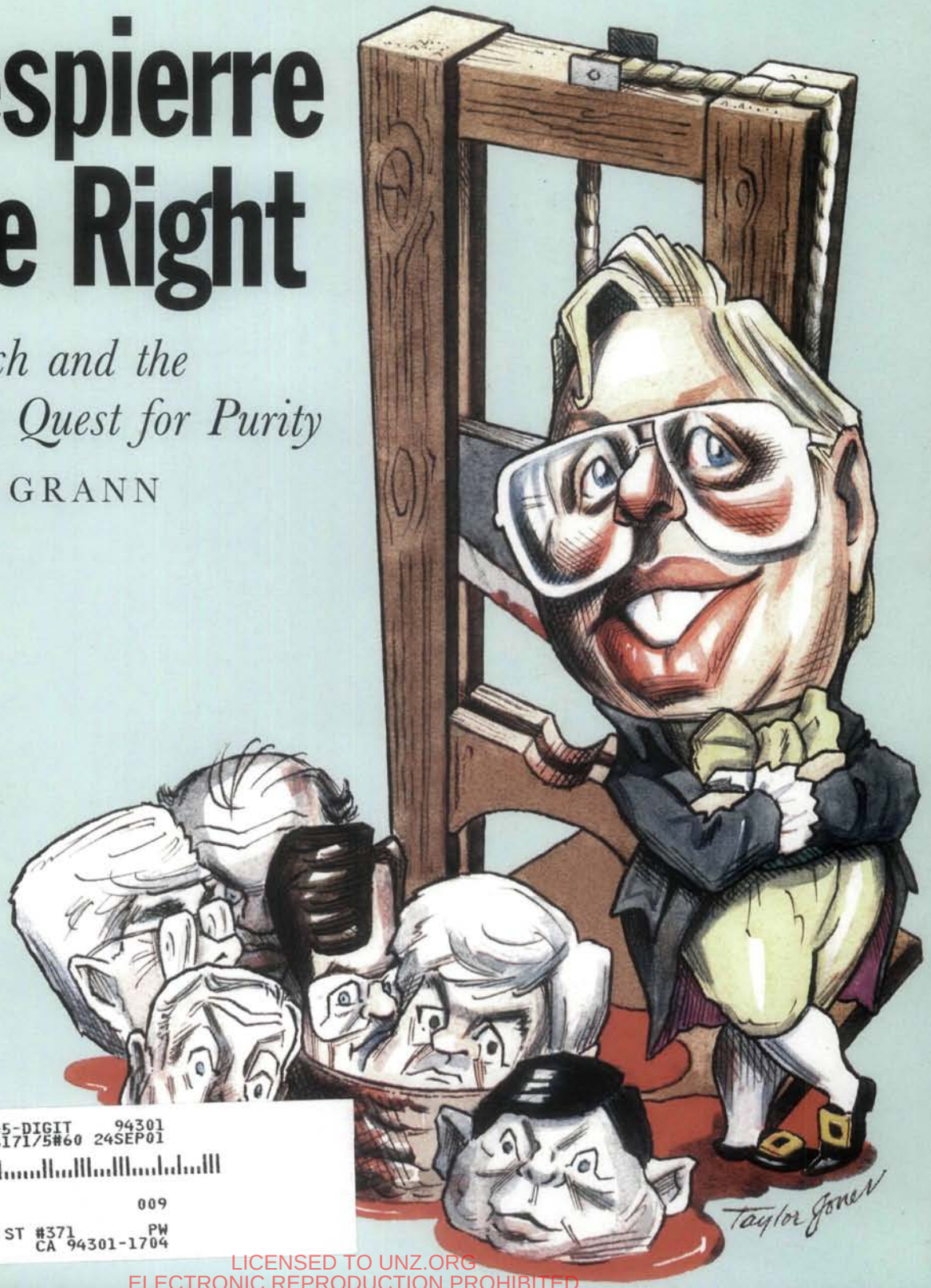
THE NEW REPUBLIC

Nestlé Lays a Chocolate Egg • Christian He-men Hold a Hug-in

Robespierre of the Right

Paul Weyrich and the Conservative Quest for Purity

BY DAVID GRANN



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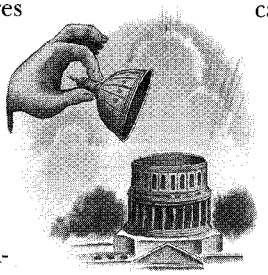
FROM WASHINGTON

Passing the Buckley

Buckley v. *Valeo*, the Supreme Court's attempt to reconcile campaign finance regulations with the First Amendment, was dubious from the day it was decided in 1976. With memories of Watergate still fresh, the Burger Court assumed that preventing corruption of individual candidates by wealthy donors was the central evil that Congress had a right to avoid. But in the 1990s, the parties, rather than the plutocrats, became the stock villains of the reform drama. As the parties changed their fund-raising practices to circumvent the laws that *Buckley* upheld, they transformed themselves into fund-raising machines. And in the process, they further undermined the constitutional logic of *Buckley* itself.

To many people, this is a good reason to abandon not merely *Buckley* but the whole project of campaign finance reform. But, in fact, it's only by revisiting *Buckley*'s obsolete premises that successful reform might come to pass.

Buckley was based on two questionable premises. First, the Court held that preventing corruption is the only constitutionally compelling reason for limiting political spending. Second, the Court said that expenditures by individuals, groups, and candidates on behalf of particular campaigns were less likely to raise the specter of corruption than contributions to candidates by individuals or groups.



The distinction between contributions and expenditures, criticized even when it was announced, soon became incoherent as fund-raisers found ways around the new restrictions. In 1979, Congress carved out an exemption from contribution limits for "soft money" targeted at state and local parties. This was supposed to strengthen the faltering parties without raising the specter of corruption. So what if an individual could donate $100,000 to the Democrats? This wouldn't corrupt a democratic president, since the party could only give a legally prescribed amount to the president's campaign.

It didn't take parties long to realize that they could spend the money on behalf of candidates without actually giving it to the candidates. Soon, the parties became full-time political action committees, whose primary job became raising money from wealthy donors, and then channeling that money into advertisements and voter education campaigns—campaigns that allegedly had nothing to do with specific candidates but were obviously designed to influence elections. And the candidates followed suit, turning themselves into full-time fund-raisers.

One way out of this morass is to limit certain types of party expenditures as well as contributions. But even limited spending caps are unlikely to pass muster with the current Court. In 1996, the Court in *Colorado Republican Federal Campaign Committee* v. *FEC* struck down limits on expenditures by parties that weren't coordinated with particular candidates. Three justices—Stephen Breyer, Sandra Day O'Connor, and David Souter—seemed inclined to preserve *Buckley*'s analytical structure. They indicated a willingness to uphold limits on soft money contributions to parties, or party spending that's coordinated with the candidates, in the interest of avoiding corruption. But they argued that "independent" spending by parties poses no greater threat of corruption than "independent" spending by candidates.

Four justices—Clarence Thomas, Anthony Kennedy, William Rehnquist, and Antonin Scalia—seemed willing to throw out *Buckley* altogether. The interests of the parties and the candidates are indistinguishable, Justice Kennedy declared, and therefore limits on coordinated as well as uncoordinated campaign spending are unconstitutional. Justice Thomas went even further. In a part of his opinion joined by no other justice, he said that caps on campaign contributions as well as campaign expenditures should be struck down as government interference with free speech.

Justice Thomas's notion that parties can't corrupt their candidates would seem to make it impossible to close the soft money loophole. But, as Columbia Law professor Richard Briffault argues, Thomas is on shaky ground when he dismisses the danger that parties might become conduits for the corruption of candidates by wealthy donors. Thomas

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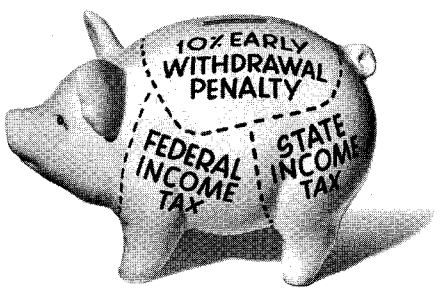

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A Weekly Journal of Opinion

OCTOBER 27, 1997

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WASHINGTON, D.C.
ISSUE 4,319

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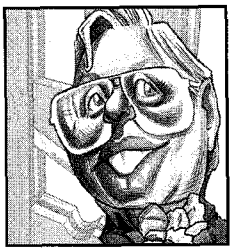

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THE NEW REPUBLIC, Vol. 217, Number 17, Issue 4,319, October 27, 1997. (Printed in the U.S. on October 8, 1997.) Published weekly (except for combined issues dated Jan. 6 & 13, July 14 & 21, Aug. 11 & 18, and Sept. 8 & 15, 1997) at 1220 19th Street, NW, Washington, DC 20036. Telephone (202) 331-7494. The New Republic Advertising Sales Office (212) 702-4882. Yearly subscriptions, $59.94; foreign, $99.94 (U.S. funds); Canada, $79.94 (U.S. funds). Back issues, $3.50 (includes postage & handling).

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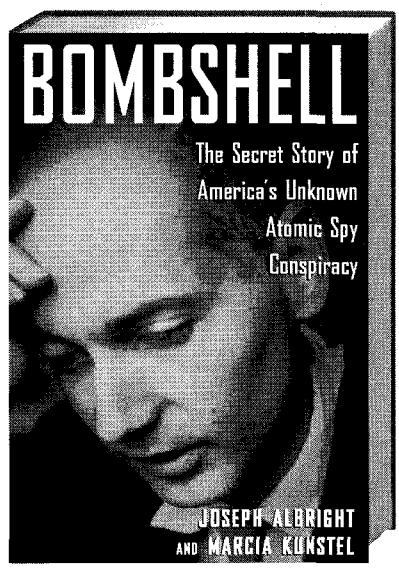

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CORRESPONDENCE

Women cheat too

To the editors:

After reading Jonathan Rauch's article "Live and Let Lie" (September 22), I wanted to go out and commit adultery. Though his article made some interesting observations, I found his view to be rather sexist.

Throughout the article, he lists examples of those who commit adultery; these examples, though, are invariably one-sided, and steeped in a '50s frame of reference. To wit: "The man who looks for one-night stands on his business trips and the woman who relieves the desolation of her lonely marriage with visits now and then to a gentleman friend are not doing anything commendable."

Women go on business trips and have equal temptations to stray outside their marriage; women also have affairs with men who work for them. By citing this, I am not condoning adulterous behavior, merely suggesting that women are the perpetrators as well as the victims.

MARILYNN GOLDBERG
Palo Alto, California

Art of understanding

To the editors:

Jonathan Chait, in his article "Illiberal Arts" (September 29), argues against funding the National Endowment for the Arts by proposing that individuals and groups can pursue arts interests on their own and there is no entitlement to enjoying and benefiting from the arts. Mr. Chait is wrong.

The preamble to the Constitution calls for promoting the general welfare. The general welfare should include programs that inspire creativity, encourage expressiveness and thought, bring joy to countless individuals, and improve the overall quality of life. The arts not only carry out all of those functions, but also directly benefit the educational development and economic growth of our nation. Congress has a role, and an obligation, to promote the general welfare by supporting the arts.

Accessibility to the arts has been expanded by the NEA's patronage of arts groups in every corner of the nation. Chait argues that small regions of the country that lack arts institutions must not have the demand. In fact, they lack the means and need money to help their arts institutions grow. Since the establishment of the NEA, the main

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nonprofit theater organization in the country has grown from thirty-five professional theaters to over 300. The number of dance troupes has jumped from twenty-eight to over 400 and the number of chamber music ensembles now number 1,120, the majority formed since the creation of the NEA. This growth of the arts could not have been as successful without the NEA.

Chait argues that funding a bomb (which we do at a much higher funding level than the arts) is in a different class than funding the arts. I disagree. Supporting the arts does not mean supporting the controversial ideas behind one painting. Funding the arts means cherishing creativity, provoking thought, and inspiring self-expression. It means putting money into arts education, which in turn helps increase SAT scores and decreases dropout rates. Studies demonstrate the connection between music, dance, visual art, and the development of the human brain. Funding the arts also means investing in cultural tourism and economic development in our cities.

The majority of the country recognizes that the government has a vital role in supporting cultural activities that will reflect on us as a people years beyond our own lifetime.

LOUISE M. SLAUGHTER
U.S. Representative (D-N.Y.)
Washington, D.C.

To the editors:

Jonathan Chait makes a strong argument for the elimination of government arts funding, but he overlooks one salient point. If, as he asserts, the NEA "cannot escape political entanglements," why is it that for the first twenty-five years of its existence, the agency did so, or, at least, was able with relative aplomb to deflect occasional attacks from irate legislators? Among the more famous: Congressman William Bauman's complaint that the NEA had helped finance Erica Jong's literary bodice-ripper, *Fear of Flying*, and Congressman Mario Biaggio's attempt to bar the NEA from funding "any ethnic or racially offensive material" after an agency-assisted production of *Rigoletto* which the legislator considered insulting to Italians.

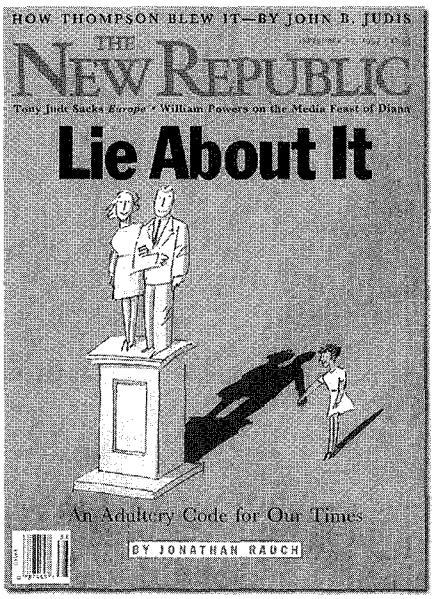
In fact, taxpayers pay all the time for speech that some of us don't find to our taste, but in most contexts we accept that government does have a legitimate role in supporting the venerable marketplace of ideas. At least since the end of the McCarthy era, there has been a consensus that professors at public universities are entitled to academic freedom, even though their ideas may offend the political, religious, or moral sensibilities of some.

It is true that some groups are now going after public libraries in the same fashion that the NEA has been under assault for nearly the past decade. But this phenomenon only dramatizes the need to rebuild a political climate that accepts the propriety of viewpoint-neutral government funding in the area of speech.

MARJORIE HEINS
New York, New York

Jonathan Chait replies:

I wrote that "we liberals ... don't want the government to fund certain activities just because we like them." I stand corrected. Congresswoman Slaughter thinks the government is obliged to fund anything that promotes the general welfare. Newspapers? Blueberry pie? Also, I never said small towns lack a demand for art.


HOW THOMPSON BLEW IT—BY JOHN B. JUDIS
THE NEW REPUBLIC
Tony Judt Sacks Europe • William Powers on the Media Feast of Diana
Lie About It
An Adultery Code for Our Times
BY JONATHAN RAUCH

I argued that the NEA does not target small towns, and even if it did, that wouldn't be the best way to help them.

Marjorie Heins's argument confuses me. She disputes my point—that the NEA can't escape political entanglements—by arguing that it managed to do so during its first twenty-five years. In the next breath, she notes two famous incidences of NEA-funded art—*Fear of Flying* and *Rigoletto*—that generated intense controversy in Congress during the NEA's first twenty-five years. Well, yes. That's what I meant by "political entanglements."

Iran cares, really

To the editors:

People are being murdered in Algeria every day. In a September 22 "Notebook" item ("Algeria's Hiss") you wrote, "No one cares about their ordeal. Not their Arab cousins. Not the United Nations. And certainly not the American press."

Not quite. People do care—in Iran. According to a headline in the September 3 *China Daily*, "Iran leaders condemn Algerian bloodshed." The story informs us that "Foreign Minister Mohammad Mohammadi called on the 'international community to deal with the unprecedented crime perpetrated against innocent civilians in the North African country.' "

When the government of Iran publicly disapproves of murders committed by Islamic fundamentalists, that is big news. Unfortunately, no one understood this except the editors of *China Daily*.

GEORGE JOCHNOWITZ
Staten Island, New York

Outer limits

To the editors:

In a September 22 "Notebook" item ("Dream On"), in ruminating on several GOP politicians who are thinking of running for president, you suggest there may soon be a "Farrakhan-Wanniski ticket." I've discussed this with Minister Farrakhan, as both he and I have been urged from time to time to throw our hats into the presidential ring. We can assure you we will always resist the pressures, as we are spiritual leaders and religious theologians and should, therefore, properly remain outside the realm of elective politics.

As the High Keeper of the Supply-Side flame, I have always turned aside offers of elective or appointed public office. In 1980, I advised those who were recruiting a team for Ronald Reagan's administration that as a theologian, I could not function in a position where I would be required to compromise. I represent dogma that I believe cannot be compromised, which government must do to function.

JUDE WANNISKI
Morristown, New Jersey

Headache

To the editors:

There was a small error of fact in Michael Ignatieff's review of Lacey Baldwin Smith's *Fools, Martyrs, Traitors: The Story of Martyrdom in the Western World* ("The Scandal of Certainty," September 22): Thomas More went nowhere near a stake. He was beheaded. If he had been burned at the stake, he would never have been remembered for his remark to the executioner about not cutting off his beard as it had done nothing to deserve such punishment.

ANN JOHNSON
Bratislava, Slovakia

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THE NEW REPUBLIC

OCTOBER 27, 1997

GO BALLISTIC

There is a crisis in the Middle East. No, not *that* one, though it worsens daily. There is another crisis in the Middle East. Iran is making its move.

The Iranian revolution of 1978-79 succeeded within its borders, but it failed beyond its borders. The neighboring Islamic polities refused to import the chiliasm that Khomeini and his successors tried to export. Religion did not transform Iran into a regional superpower. So the regime in Teheran has turned to the more traditional method for the achievement of dominance. It is building ballistic missiles that have the capacity to strike targets in Western Europe, North Africa, and South Asia, as well as Israel, Egypt, Jordan, Saudi Arabia, and the Gulf states. What these missiles have in range they lack in accuracy, but not for long; anyway, "dumb" weapons are more dangerous than "smart" weapons. The Shihab-3 and Shihab-4 missiles may be ready to roll in a year or less.

The difference between theology and technology is that the former can be developed and deployed without the assistance of others, but not the latter. The news that Iran is arming itself with the objective of regional hegemony is bad enough. But there is worse news. It is being abetted in this intolerable effort by Russia, and to a lesser extent by France. Private Russian companies and state-owned Russian companies are furnishing the Iranians with gyroscopes, wind tunnels, electronic equipment, guidance systems, and propulsion systems. The Kremlin protests that the Russian government cannot control Russian companies in the giddy throes of an incipient capitalism, and also it mumbles that in the wake of the cold war there are all those idle and bummed-out scientists and engineers. (You know, like in that George Clooney movie.) Boris Yeltsin's pronouncements on the matter have been a medley of mendacities. He began by denying "categorically" that Russia was the origin of the materials and the experts in Iran's missile programs; and then he was embarrassed by sources in his own government, who substantially conceded the case; and finally he began to sputter resentfully, as if he were the prime minister of Malaysia: "Thank God that Russia, France, and Iran are independent, freedom-loving states, and interference from any other state is not to be tolerated."

How should the Clinton administration respond to the imminent prospect of "freedom-loving" Iran armed with advanced missile technology? Urgently, we would have thought. The balance of power in the Middle East—the same one that we went to war to restore in 1991—is seriously imperiled. Never mind the global economy; this is a matter of cold, old-fashioned geopolitical strategy. To be sure, Washington's leverage on Teheran is extremely limited (though Iran would do well to recall the consequences of Iraq's attempt to control its region with long-range missiles). But its leverage on Moscow is famously considerable.

Or is it? So far the administration has been prevaricating. It cannot bring itself to speak straight about, and to, the Kremlin. (This American policy is being held hostage, it appears, to the dithering Russophilia of Strobe Talbott.) It dispatches a former diplomat to Russia to get to the bottom of the matter, as if the facts of the case are in doubt. And there are suggestions that this is a crisis of Israel's making, or Benjamin Netanyahu's desperate attempt to distract attention from his incompetence with the Palestinians and the Jordanians. (Who could blame him for trying? But those missiles are real.) And there are warnings about alarmism, which are themselves alarming. The last time we were warned about alarmism in the matter of ballistic missiles in the Middle East (remember the reassurances that it would be a decade or more before Saddam's weapons of mass destruction could fly?), it was the alarmists who turned out to be the realists.

So what should the president do? Well, he could tell our staunch allies in the Kremlin that we will not launch any more American handymen into space to rescue the Russians from their own space station. And he could explain that there is a law in this country that places mandatory sanctions on companies, private or state-owned, that help Iran to acquire such military technology. That law is called the Gore-McCain Act. It passed in the Senate in 1992. The vice president could apprise his business-wise buddy Viktor Chernomyrdin of this law.

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For the Russian companies that are doing business with Iran are the same Russian companies that are seeking to do business with NASA and the Pentagon.

It is, in short, bullying time. But the likelihood is that the White House will try at all costs to avoid bullying (an article in *The New York Times* warned last week that around the world they are "bashing America for fun and profit"), and acquiesce in the customary pessimism about the proliferation of advanced military technology around the world. That acquiescence is by now a tradition of American foreign policy; and we are serenely indifferent, after all, to China's rush to military dominance of *its* region. Meanwhile the labs in the Islamic republic are working, working, working.

NOTEBOOK

BACKFIRE: If anything has exposed the hollowness of Benjamin Netanyahu's no-peace-and-no-security "peace and security" policy, it is the bungled attempt by Israeli agents to assassinate a moderate (well, relatively moderate) Hamas leader in Amman. With this one masterstroke, the Netanyahu government has: (1) embarrassed Jordan, which is Israel's truest and most genuinely pacific interlocutor in the Arab world; (2) apotheosized Hamas, whose spiritual leader Israel had to release from prison, and who returned, in eschatological glory, to Gaza; (3) crippled Yasir Arafat and the Palestinian Authority, which is, for better and worse, Israel's partner in a serious and necessary treaty of peace; (4) angered the Clinton administration, which was about to reconvene negotiations between Israelis and Palestinians; (5) compromised its own correct insistence upon a Palestinian crackdown on Palestinian terrorists, a number of whom Israel was forced to release from its own jails. Not bad for an afternoon's work. Now Netanyahu is playing his old tape about the "just and vital fight" against terrorism. But the fight against terrorism must be not only just and vital; it must also be smart. Does Netanyahu have any sense at all of the stakes? Or is he really prepared, for the sake of his own short-term political fortunes, to fizzle away the whole historical opportunity?

CAUDILLO IN THE WIND: "I was fifteen when my father gave me my first cigar. At that time I was in high school.... There have only been two times in my life when I have not smoked. On the first occasion it was during the Revolution. There was great movement against cigars as a result of an uprising of the farm laborers on the plantations. To demonstrate our solidarity with them, I quit for some time.... The second time I stopped smoking it had to do [with] health reasons. Many people in our country were against the dangers of smoking. And I had to set the example!" So begins the "DRAFT FORWARD—final editing by Fidel Castro's office in Havana pending" of the Cuban dictator's memoir. It appears in one of the funniest documents that have ever fallen innocently into the hands of this guileless magazine: the book proposal for *History Will Absolve Me: The Autobiography of Fidel Castro,* now being circulated among publishers in New York. The book is to be ghostwritten by "an international business consultant, economist and writer ... [who] over the past two years has developed a special relationship, via family ties, to Fidel Castro who has granted him access." It is very exciting news that "Fidel, now 71 ... is prepared to tell his side of the story.... The book shall be written in Fidel's own voice." Of course, the proposal explains, there will be certain impediments to the usual promotional assault, but they can be overcome: "Because of the lack of diplomatic relations between the United States and Cuba, Fidel Castro is allowed on U.S. soil only in connection with official trips to the United Nations. The author therefore would be available to promote *History Will Absolve Me.*" Phew! Maybe "Charlie Rose" could run to six hours. Among the "Questions Castro Will Answer" are: "Will Cuba be led into the next century by you? What will be your legacy a century from now? Which was [your] favorite American leader? Which was your favorite Soviet leader? What was the most amusing part of the Revolution?" We have heard that a publisher has offered a seven-figure sum for this agitprop masterpiece. Fidel sure knows how to press the buttons of those capitalists at the Four Seasons. With this, for example: "If there is anyone alive who reminds me of Che today—of his complex nature, combining the beautiful and the ideal and the tragic—I would say it is Diana, the Princess of Wales. If you see the vitality of her spirit and the struggle in her life, then you have seen what Che was like!"

PIGSTY: In his ceaseless quest to have it both ways, the president last week broke new ground. Several times in recent years, Bill Clinton has signed legislation he says he dislikes. But last week, in what we think is a first, he vetoed legislation he says he supports. Using the line-item veto Congress gave him last year, President Clinton excised thirty-eight military spending projects the Pentagon had not requested. And basking in the glow of the cameras, he announced that, "The old rules have, in fact, changed." Indeed, they have. Now you need to introduce pork into legislation twice—once so the president can veto it grandly, and another time so he can sign it quietly. The White House has already agreed to restore two of the three items the president axed in his first use of the line-item veto back in August. And to appease congressmen whose hogs were gored this time, Bill made a point of explaining that he actually supports much of the spending he had just vetoed. "Many of the projects I have chosen to cancel have merit," he said, "but should be considered in the future." Asked about the future prospects of his boss's vetoed porker, an aide to Representative Steven Schiff said, "we're optimistic." Sadly, we are too. •

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The Right embraces sentimentality.

PROMISE WEEPERS

By Hanna Rosin

The bland smiles of the Promise Keepers gathered on the mall this weekend failed to soften Patricia Ireland, president of the National Organization for Women. For weeks she'd been calling the Christian group "warlike," "cult-like," and threatening to "unmask" them as the brutes they are. The day of the event she was no kinder. "Ominous!" "Dangerous!" "Patriarchal!" she yelled at reporters from her protest pen across the street. At least she kept her shirt on, unlike the Lesbian Avengers, several topless women, who spent the afternoon trying to snake out of prayer circles constantly forming around them, and avoiding breast burn from the scorching sun.

After a few hours at the rally, I can safely report there is nothing particularly sinister to unmask about the Promise Keepers. They were undoubtedly the most benign group of men I'd ever met. During the forty minutes I was counting, eight men offered me a bottle of water, six offered me a seat, twelve a Bible, and six more asked if I could see the stage all right. And that's not even factoring in all the hand-holding and hugging and multiracial sing-alongs.

By now, we've heard enough testimonials from wives relieved to have their husbands home, taking out the trash, changing diapers, to know that the Promise Keepers are good for America's families. But that doesn't mean all of this sobbing is necessarily good for American public life. The real threat is that the Promise Keepers are like Ireland. They represent the mass culmination of an embarrassing phenomenon: the feminization of the American right.

By the standards of Christian warriors, the Promise Keepers are a disappointment. Periodically, the American church goes through a crisis of masculinity, when it realizes its pews are filled with women only. The most dramatic manifestation of this breakdown came at the turn of the century, when a second baseman named Billy Sunday turned revivalist, and rained brimstone down on the "pink lemonade church." Sunday and his band of muscular Christians occasionally stormed churches and hounded down sissy priests.

The Promise Keepers, their modern counterparts, fill their fists full of Kleenex. They describe their rebirth with schoolgirl giddiness, using words like "awesome" and "neat." Many eagerly told me, a perfect stranger, intimate stories of personal redemption; some burst out in tears. Meanwhile, the line at the pink lemonade stand curled politely around the corner.

The Promise Keepers are men schooled in the mega church movement—that watered down, gushy religion now sweeping America. Mega church preaching works on the same principles as the recovery movement: it favors public, mechanized confessions of sin, and a good cop, bad cop routine, by which you are chastised for your inadequacy and then comforted by a therapeutic God. Randy Phillips, president of Promise Keepers, first rebuked the audience for having "downsized God," for trying to "domesticate God" and fit him into our "buddy system." He then did just that: he told the story of a little girl who sat next to him on a flight back from Europe and never stopped talking. At first, he was annoyed by her, until she "threw out her little hand and said, 'Wanna be friends?' I am so glad that God holds out his hand to me and says, 'Wanna be friends?' " That was the cue for the corny synthesizer music. Even I began to get a little misty.

If the Promise Keepers are a watered-down Billy Sunday, Republicans have become a watered-down Daniel Webster, the nineteenth-century senator known for his overwrought, florid orations that brought sinners to their knees. The right wanted a Victorian revival, and now they have it, with full quivering voice and tears.

The sentimentalism seeped in slowly after the last presidential election. Fretting over the public's cold reaction to Bob Dole's dry style, Republicans molded themselves to a new Oprahfied model, programmed to share their feelings. The suspicious behavior showed up in the strangest places: Dan Burton, the very right-wing Republican whose past obsessions include Vince Foster and restaurant soup infected with AIDS, was by March a weepy man. In a *Washington Post* profile, Burton confessed he, too, was a victim: he'd been pummeled throughout his childhood by his 280-pound father. Trent Lott, Senate majority leader, followed suit. He told *The New York Times Magazine* his father was an alcoholic.

In August, gushing became a unified strategy. Republican pollster Frank Luntz handed out an unsolicited strategy memo called "The Language of the 21st Century." In it, he suggested the party's main defect was an inability to emote on command. "Linguistically, you are out of touch with the American people," he writes in the prologue. "They really think Bill Clinton feels their pain, and they really think you feel nothing." The voters' mood is summarized, he suggests, by "Rodney King's 'Can't we all just get along?' " or by the theme of the TV show "Cheers": "You want to go where everybody knows your name."

To connect, Luntz offers practical tips. "Never use a lectern," he writes in the section "Tips for Town Hall Meetings." Instead, politicians should walk among the audience, Oprah-style, microphone in hand. The telltale sign of the creeping sentimentalism comes in the Communications Checklist: "It's about the children," Luntz writes, bold and underlined. "How will your policies help the next generation of Americans?"

If Luntz's tips sound familiar, it's because you've been

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hearing them for the last five years. After bitterly complaining that Bill Clinton has stolen their issues, Republicans have decided to steal his style. The style, that is, of simulated pain and no real feeling, after which nothing gets done. The day after the Promise Keepers rally, founder Bill McCartney slyly hinted he would run for president—if that's what God told him. Patricia Ireland probably thinks she has an enemy for life. Wait until she finds out he wants to be friends. •

How Nestlé got crunched.

BITTERSWEET

By Katherine Pfleger

When Nestlé bowed to pressure and pulled its allegedly unsafe "Magic" chocolate candies from stores early this month, consumer advocates rejoiced. "It's a victory for parents and kids," said Democratic Representative Rosa DeLauro. "This decision comes none too soon," beamed Connecticut Attorney General Richard Blumenthal. "These toys are a bad idea," added Ed Mierzwinski, program director for the U.S. Public Interest Research Group. But Nestlé doesn't think it was the goo-goos who really killed Magic. It charges that the death blow was a "competitive response" from its rival, Mars Inc. And Nestlé may be right.

Magic first attracted public attention in September, two months after Nestlé started shipping the product to stores in the United States. Magic was a marketing director's dream: a Disney figurine, encased in a plastic shell slightly larger than a golf ball, which in turn was covered by chocolate. Kids break open the chocolate shell, leaving the plastic casing with the toy inside. The Swiss-based Nestlé company had enjoyed great success with a similar product in Europe, and early sales in the U.S. appeared brisk.

Soon after Magic appeared on the shelves, however, consumer safety advocates began howling, charging that kids could choke on the small toys inside the candy. The Food and Drug Administration, one of two federal agencies with jurisdiction over the product, announced an investigation to see whether the product violated—as it appeared to—a 1938 law prohibiting food producers from embedding toys inside their products. (Nestlé argued that Magic should be treated like Cracker Jack, whose toy is not considered embedded.) By late September, elected officials at both the federal and state levels were weighing in against the candy, with dire predictions of harm to children. That's when the FDA issued an ultimatum to Nestlé: pull the product within two hours or face court action. Nestlé caved.

A case of government regulation gone right? Not exactly. It is true that in Europe a similar product—although not Nestlé's—had been implicated in several choking deaths. But Nestlé's spokesmen say the company deliberately designed its toy so that it was too large to fit down even an adult's throat, and a casual inspection suggests they have a point. The plastic casing is flexible and, as a result, does not break easily. The figurines themselves are as large as many small children's toys, and they have obtrusive parts, which—despite common perception—are less likely to cause choking than smooth-surfaced objects, according to safety experts. What's more, advocates on both sides concede the 59-year-old law on which the FDA based its decision is in desperate need of clarification, and Congress has actually granted the FDA authority to revise the statute itself. (Congress had originally enacted the law to empower the FDA in a specific case involving chocolate products that literally contained sharp, metallic trinkets within.)

The most persuasive argument in favor of Magic, though, comes from the U.S. Consumer Product Safety Commission, whose standards are widely considered among the most stringent in the world. Nestlé sent the CPSC samples; there, the product went through an extensive battery of tests. Experts studied—among other things—how kids would play with the figurine, whether the product was toxic, how easily the plastic broke, and—of course—whether the toys could choke someone. When the CPSC was through, officials there told TNR, it gave its unequivocal judgment: Nestlé's toy was fine for children of all ages. "All of the toys met or exceeded our standards," says CPSC spokeswoman Kathleen Begala. "In one case, by as much as four times one of our standards."

So why did the FDA block it? This is where Mars comes in. If the popularity of Magic's European cousins is any indication, the chocolate would have taken a big bite out of the $12.8 billion U.S. candy market. Mars, one of Nestlé's chief competitors, had discussed producing similar toys in the past, but it had not forged ahead—most likely because it expected the FDA would not give its approval. (Spokesmen at Mars were unavailable for comment, despite several phone calls.) When Nestlé unveiled Magic, Mars, apprehensive about the FDA's initial dithering, shrewdly hired a new lobbyist: Carol Tucker Foreman, a former Agriculture Department official turned one of the nation's foremost consumer lobbyists. Armed with simulated choke tubes and the Nestlé toys, Foreman approached consumer groups and government officials at both the state and federal level. The FDA did not become aware that Foreman was working with Mars until the company's general counsel acknowledged the relationship in a September 18 letter—a relationship Mars initially denied to *The New York Times*, but later admitted.

Nestlé fought hard. During early September, the cor-

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poration lobbied the House agriculture committee to pass a law requiring the FDA to clarify the 1938 regulation. Foreman and the consumer advocates had the upper hand, thanks in part to Nestlé's already spotty reputation on public health issues. (During the 1970s and 1980s, 450 consumer groups launched a seven-year boycott against the company for its allegedly unethical distribution of baby formula in Third World countries.) The National Safe Kids Campaign weighed in against Magic, as did an alliance of fourteen state attorneys general. The FDA was under pressure, and officials close to the Magic controversy admit privately that their agency lacked the financial resources to devote to a war over legal technicalities—and was looking for a quick resolution.

The press unwittingly played along. Mars's role in the campaign against Magic only came to light late last month, in the form of stories in *The New York Times* and *The Washington Post.* Then, in the following weeks, Nestlé received twelve reports of possible safety problems—all still unconfirmed. On the day Nestlé pulled Magic from the shelves, Begala waited for reporters to call, looking for comment. She was prepared to say what she thought: that Magic was safe. But only one call came, and most newspapers lauded the move as a triumph for public safety.

Begala wasn't the only one who stayed in the shadows. While lobbyists and legislators rejoiced over Nestlé's decision, Mars remained silent. Perhaps victory left them all choked up. •

ORANGE COUNTY POSTCARD

HASTA LA VISTA

By Kenneth Lee

"This might be the first case in history where a congressional election was decided by noncitizens," fumed the voluble right-wing icon Robert Dornan, after being upset by political neophyte Loretta Sanchez last fall. "Perhaps we should impound all these ballots, ship them to Washington, then have the House of Representatives run a giant Cray computer comparison on the entire voting list to find out if all these voters are citizens."

Congress hasn't rolled out a Cray supercomputer, but it has done the next best thing: for nearly a year, the House Oversight Committee has been investigating potential voter fraud in the forty-sixth congressional district. Dornan's charges have some credence: state election officials suspect that Hermandad Mexicana Nacional, a local Hispanic group, signed up dozens of noncitizens during a voter drive last year—though almost certainly fewer than the 984 votes that Dornan lost by.

But even if Republicans do overturn the results, it may be a Pyrrhic victory for Dornan and the party. Many Latinos, still angry about the GOP's support for California Proposition 187 and federal cuts in benefits to legal immigrants, view the congressional investigation as another instance of the right's anti-immigrant fervor. "People in the Latino community are energized and more than ever are registering to vote," says Steven Jost, the chief of staff for Sanchez.

Most of them are going to the Democratic camp. According to a *Los Angeles Times* poll conducted in April, Dornan has only a 27 percent favorable rating among Latinos, and the majority of them do not believe the charges of voter fraud. "Support among Latinos for Dornan is very weak, and he has very high unfavorable ratings," says Mark Baldassare, a professor of urban and regional planning at the University of California at Irvine, who conducted *The Los Angeles Times* poll. This could prove devastating to Dornan and the GOP in the long-term, because Latinos will outnumber whites even in the conservative, white-bred Orange County in about twenty years, according to demographic studies.

Democrats, cynically but shrewdly playing the race card, have called on the Republicans to halt the investigation. "[Republicans] are spending hundreds of thousands of dollars to harass and intimidate a Hispanic woman member of Congress," groused Georgia Representative and civil rights hero John Lewis on C-SPAN. "It is not right. It is not fair. It is a shame and a disgrace." But privately, Democrats are relishing the moment. "This is killing the Republicans with minority voters who are offended at the implication that they're not citizens just because of their [foreign-sounding] last names," one Democratic staffer gleefully notes.

Even worse for Dornan, the congressional investigation has unwittingly made Loretta Sanchez an instant celebrity in the Latino community. "Her ties to the activist Hispanic establishment weren't all that well established before the election, but by attacking her, they have galvanized Hispanics and made her a hero," explains a Democratic aide involved in the committee investigation.

Indeed, prior to the election, Sanchez had used her husband's distinctly Anglo-sounding surname, Brixey, for many of her professional dealings, and was a complete unknown among local Hispanics. She did not, until recently, even live full-time in the forty-sixth congressional district. Now, because of the ongoing feud, her approval rating among Latinos is "like hero stuff" and "star quality," says Baldassare.

The committee's investigation has done little to help her among Asian immigrants, either. Vernon Ehlers, a House Oversight Committee member, denied singling out only Hispanic voters—only to offend others. "We're

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checking all names," he told *The Orange County Register.* "The number of Vietnamese names is very large on the list in question."

The irony, of course, is that had Republicans not cried voter fraud and challenged the election results, Dornan would have almost certainly won his seat back in 1998. Though a working-class area with a high percentage of minority voters and more registered Democrats than Republicans, the district had embraced Dornan for a decade. One reason is that his staunch anti-gay and pro-life views played well with the large population of socially conservative Latinos and Vietnamese-Americans, most of whom are loyal Catholics.

The other is that the normally strident Dornan—who has excoriated President Clinton as a dope-smoking, draft-dodging womanizer—remained circumspect on immigration issues. While his Republican brethren ardently supported Proposition 187, he only gave it tepid support and he notes that his wife had voted against it, nullifying his vote. As Dornan often points out, he helped register black voters in the South during the 1960s, and he was never known as an immigrant-basher or a race-baiter. Dornan also had cultivated good relations with many local Hispanic leaders. Miguel Pulido, the Democratic mayor of the largely Hispanic Santa Ana, for example, refused to endorse Sanchez because of his loyalty to Dornan.

Then what explains what happened in 1996? In part, Dornan was victimized by the Clinton landslide in California and Sanchez's well-run campaign. Yet ultimately it was his own complacency that did him in. He never thought a novice, whose sole political experience was coming in eighth out of sixteen candidates for a city council race, could oust a nine-term congressman. After all, in 1992, Dornan had trounced Robert Banuelos, a Hispanic activist with strong ties to the Latino community. So Dornan squandered his resources on a quixotic bid for the presidency, which put him close to $200,000 in the red. He also didn't bother sending out fund-raising letters until late August. The result: Sanchez outspent Dornan $760,328 to $589,447.

Despite the loss, several factors seemed to favor Dornan in 1998: Sanchez wouldn't benefit from Clinton's coattails, and freshmen representatives, still relatively unknown in their districts, are usually vulnerable. Moreover, fewer voters participate in off-election years, which helps GOP candidates in this Democratic region. But Dornan may have deep-sixed not only his political career but Republicans in general by challenging the election results. While Sanchez has become a prominent figure among Latinos, Dornan has become indelibly linked with the nativist wing of the GOP, driving Latinos to the Democratic Party in droves. A recent *Los Angeles Times* poll showed that Sanchez would handily defeat Dornan, 49 percent to 36 percent, if an election were held today. "The long knives are out" for me, Dornan told TNR. Indeed, he may have inserted the sharpest one himself.

KENNETH LEE is a former TNR reporter-researcher.

Clinton's exam flunks.

TESTING, TESTING

By Peter Schrag

When Bill Clinton introduced his proposal for national education standards eight months ago, it provoked stiff opposition from ideologues on both sides. The left, as former Assistant Secretary of Education Chester Finn likes to say, doesn't like anything with the word testing; the right doesn't like anything with the word national. But that reaction may seem tepid compared to what will happen if the tests that Clinton envisions are actually administered—and the public gets a careful look at what's on them.

PETER SCHRAG, retired editorial page editor of the *Sacramento Bee,* writes frequently about education.

Clinton's proposal seems simple enough: "voluntary" national tests for all fourth graders in reading and all eighth graders in math. The goal is to provide a single, reliable standard of academic achievement. Clinton proposes to base the new tests on those of the National Assessment of Educational Progress, the periodic sampling of student achievement that has been conducted by the Education Department for nearly thirty years in a wide range of subjects and grades. Although widely regarded as the gold standard of testing, NAEP does not test every child; it does not report scores for individual students, schools, or districts. Until 1990, it did not even provide state breakdowns.

Now this model is to be used in a role for which it was

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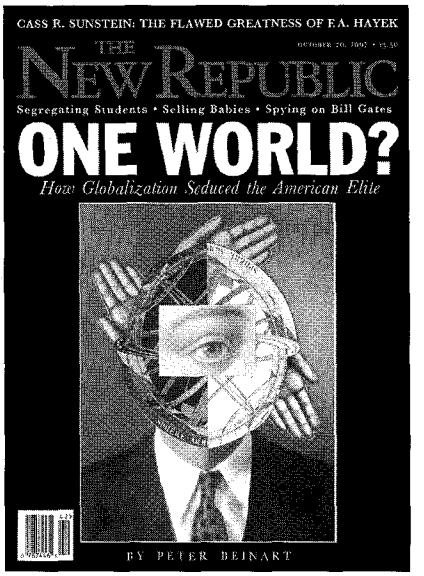
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never designed. Under Clinton's plan, beginning in 1999, each year every fourth grader will take the reading test, every eighth grader will be tested in math. There will be individual scores; average scores will also be compiled and reported to the states on school- and district-wide bases. Acting-Deputy Secretary of Education Marshall Smith, who has been in charge of the testing program, says the states and individual districts will decide whether or not to disclose those school and district averages. But voters in most states will demand to know. That quickly raises the stakes—for students, for teachers, and for principals and school superintendents, whose careers may ride on the outcome—which in turn, raises an enormous range of questions about how the tests will be used, and about their impact on curricula and on such things as tracking and promotion.

Begin with the simplest question: How will the tests be administered and secured against cheating? Almost every week there's another report about some teacher or principal doctoring test results, or improperly excusing students from a test on which they are not expected to do well, in order to raise school-wide scores. Smith says the feds are contemplating a three-week "window" each spring during which the new reading and math tests may be given. But given the stakes that are riding on the test, that's an open invitation to cheating and fraud. Although Smith denies that there will be any problem, if there is only one form of the test with one set of questions, it probably means it will have to be given at the same moment in every school in the country, through seven time zones, from Maine to Hawaii. It will probably also require a whole second makeup test for those who miss the first round, something so far not contemplated in the federal scheme.

Clinton wants to publish questions and answers for each test after it's given. Politically, that's a wise course. But it means a new test will have to be developed and validated every year to make certain that its results are comparable to those of the previous year and that the readers who score the "constructed" open-ended essay parts of the test will use the same standard regardless of location. That's difficult and costly under the best of circumstances. Merely grading the millions of open-ended responses is a huge, psychometrically unreliable undertaking.

Then there are the major, unanswered questions about who gets excused. The math test will be given in English and Spanish; Smith says that any student who has not had English instruction for three years will not be expected to take the reading test. But some of the cities that originally signed up for the test, Houston and Los Angeles among them, have already opted out of the reading test because it will not be offered in Spanish. Should calculators be allowed in math, and what should be the balance between traditional arithmetic and what some people call the "new new math" and others dismiss as "fuzzy crap"? Where is the line drawn for handicapped and special education students?

It's here that the really heavy going begins. Education Department officials sometimes say that NAEP represents "an accepted set of national standards," an argument that seems to be embraced even by conservatives like Finn and former Education Secretary Bill Bennett. But as the Association of American Publishers, which represents the nation's major test publishers, told Riley, in its experience, "there are no national standards that are accepted universally." Even as Clinton traveled the country promoting his proposal, a committee of the National Research Council concluded that because the NAEP program was originally designed to get around the resistance of state and local policymakers to a national curriculum, they defined test objectives so broadly that they could not be incorporated in any single curriculum. Although they have been much revised since to accommodate a growing variety of uses, including the state-by-state comparisons instituted a few years ago, the basic NAEP tests were designed to defy precisely the kind of standard-setting use that Clinton now has in mind.

The complete NAEP tests have never been published before. Once the new tests are made public, and once real consequences ride on them, the long-running war between those who love nothing better than phonics and multiplication tables, and those who regard any talk about phonics and "math facts" as dangerous pedagogical drill-and-kill—will escalate again. And if blacks and Hispanics score below average, as seems likely, charges of bias and racism will become more intense.

There's already plenty to fight over. The existing NAEP reading test includes such items as: "How is this story like or different from your own personal experience? Explain," and "What does this passage/story say to you?" For many parents and teachers, those may be obvious, even banal, kinds of interpretive questions. But for some—and not just those on the religious right—they're likely to be the sort of intrusions into the thoughts and lives of children and families in which government has no business. At the very least, some critics will say, they tell little about whether a student really understands what he or she has read.

To generate even more controversy and suspicion, the official NAEP guidelines for the reading test are suffused with whole language assumptions and attitudinal observations. "In general," they say, "good readers have positive attitudes about reading and positive self-perceptions of themselves as readers." That, too, may be self-evident to a lot of people, but judging from the fights in states like California, where a costly and ambitious testing program was scrapped a few years ago, anything that's not hard-nosed objective testing is likely to bring out objections, both from conservatives and from a lot of others.

On the other hand, anything that's too hard-nosed will provoke the left. Bob Schaeffer of FairTest, who regards the existing NAEP system as "a pretty decent thing," expects that precisely because of right-wing objections to any open-ended item—and because of the high cost of writing, validating, and scoring those constructed items—the national test ultimately will have few

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or no such items at all. And since schools inevitably teach to such tests, he warns, it will drive teaching back to a strictly basics menu that emphasizes rote learning and memorization over understanding, problem solving, and creativity. Conversely, if the constructed, open-ended items survive unchanged, you can bet the feds will hear from the religious right and their people in Congress.

Either way, there's no quarreling with the doubts expressed by the test publishers. They already have contracts to produce and score these tests, and thus have every incentive to support them. But AAP, fearing a public relations disaster, has been among those urging the feds to go slow and not do anything until there's a national consensus on the issues testing poses. Will the tests be used to track students? To determine whether students are promoted? To drive curriculum reform? The feds are purposely vague here. Since they are to be "voluntary" tests—meaning voluntary for states and local school systems to adopt—presumably local authorities must make those decisions. Yet if the results have no consequence, why have them at all?

According to polls, the public remains committed to the upgrading of school standards and to the testing program that Clinton has tied to it. But so far only a handful of states have signed up. Even some of the early enlistees, among them Michigan Governor John Engler, one of the half-dozen governors whose states have declared support for the program, now seem to be having second thoughts. In Maryland, whose state board of education was the first to enroll, a spokesman for the state department of education, echoing the growing misgivings of local school officials, recently declared that "every time you bring in a new test, you have to build a different curriculum...." And last April, a few hours after California's elected state superintendent of public instruction, Democrat Delaine Eastin, declared her support for the program, Yvonne W. Larsen, the president of California's gubernatorially appointed state board of education, sent a letter to Riley disavowing Eastin's endorsement—while apologizing "for any embarrassment" that this "may cause you or the President." (The letter was almost certainly written in Republican Governor Pete Wilson's office—part of a spat between elected officials of two parties.) The letter reflected the objections of a lot of other states, which like California are committed to their own programs for standard-setting and testing.

These concerns are already being echoed in Washington. Last month, a sizable majority in the House, led by Congressman William Goodling, a Pennsylvania Republican who was once a teacher and school administrator, voted to block funding for the tests. Clinton now vows to veto any appropriations bill that contains such restrictions. But even if Clinton prevails, he may discover that passing the proposal was the easiest part of the test. •

The accused get even.

SEXUAL HEALING

By Ruth Shalit

When Harmon Zeigler, Philip M. Phibbs Distinguished Professor of American Politics at the University of Puget Sound, tore open the official-looking envelope that appeared in his mailbox one mellow autumn day five years ago, he received some disheartening news. Inside the envelope were two letters from his dean, Tom Davis, outlining charges of sexual harassment filed against Zeigler by three female students. Davis informed Zeigler that the university found the charges credible; that in his view, Zeigler "pose[d] a threat of immediate harm" to the university community; and that the professor now faced a choice: he could either retire, or be fired. The allegations, the dean emphasized, were serious. One student, whom Professor Zeigler tutored in French, had accused Zeigler of writing her a letter in which he apologized for his "lustful thoughts"; another complained that Zeigler had visited her campus apartment and entreated her to perform oral sex. Yet a third student maintained that Professor Zeigler had asked "inappropriate questions" during an office visit and touched her on the shoulder in a way that made her feel "uncomfortable."

Embarrassed and shaken, the thirty-year veteran professor hurried to the dean's office to present his side of the story. The letter, Zeigler says he explained, had been sent on the advice of his priest; it was a "dumb mistake" that would not be repeated. He denied emphatically the more serious charge of sex with a student, protesting that he hardly knew the woman in question. As for the third charge—that he had touched a student on the shoulder, and asked her what she considered to be an inappropriate question about her opinion of Ross

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Perot—Zeigler admitted he had done so, but added he doubted such conduct met the definition of actionable sexual harassment. According to Zeigler, the dean then said he had heard enough. "He told me that an apology would not do; that these women were absolutely determined," Zeigler recalls. "He said, 'We've got to get you out of here.' "

But if the university thought it had on its hands a garden-variety sexual harassment case, it was wrong. The staunchly Republican professor hired a lawyer and, just eight weeks after his forced resignation, slapped the university with a laundry list of torts: wrongful discharge, breach of contract, intentional infliction of emotional distress, and, for good measure, discrimination against the disabled. (At trial, Zeigler would claim he suffered from manic depression, and had been delusional when the university pressured him into stepping down.) On July 1, 1994, the court sided with Zeigler. In a stinging verdict, a predominantly female jury faulted the university for refusing to give Zeigler a formal opportunity to defend himself, a procedural breach that violated the university's stated policy. Then they announced the award: $1.5 million in damages. In interviews after the verdict, jurors said the issue was not the validity of the charges, but the integrity of the university's disciplinary process.

Zeigler was at the vanguard of a lucrative new front in the workplace gender wars: the harasser as victim. Since 1991, when Congress amended Title VII to allow sexual harassment plaintiffs the right to monetary damages, workplace harassment law has mushroomed into a civil-rights growth industry. Now, in a twist that is confounding managers and delighting employment lawyers, this groundswell of sexual harassment claims has spawned a reverse litigation explosion, led by fired harassers who complain they were thrown overboard without a hearing, and without any legally defensible determination of guilt.

In the most notorious case, beer executive Jerold Mackenzie won a $26.6 million judgment against the Miller Brewing Company after his bosses fired him for locating in a dictionary an intimate part of the female anatomy as he recounted to a coworker, Patricia Best, the plot of the previous night's episode of "Seinfeld." In interviews after the trial, jurors expressed skepticism that Best—a woman who, according to Mackenzie, regularly used words like "dickhead" around the office—would dissolve into a puddle and be incapable of performing her duties at the mere mention of the word "clitoris." Lawyer Gerald Boyle, who litigated Jerold Mackenzie's suit against the gynophobic brewery, says that in the months since the verdict, he's received 300 calls from terminated gropers, oglers, and jokers, all seeking justice—and cash—from their corporate accusers. "I've never seen anything like it in my life," he says. "It's beyond my wildest dreams."

Other accused harassers have also reaped massive damages. In 1995, a federal jury awarded $905,000 to Richard Dinsmore, a history professor the University of Maine fired after he asked a female nursing student to lunch, offered her personal advice, and invited her to play racquetball. (Dinsmore later settled for $500,000 plus reinstatement.) An Oklahoma jury found in favor of Kenneth E. Williams, a plant foreman fired by the Maremont Corporation after he allegedly pulled down the zipper of his pants and exclaimed, "If you want it, here it is." (In his defense, Williams had claimed he was responding to the taunts of a former girlfriend, who had playfully suggested that perhaps he was too old to get it up.) The jury, agreeing that Maremont had overreacted, awarded Williams $1 million in damages. Then there's Robert Clowers, a Houston police officer who in 1992 was accused—falsely—of running his hand up and down the legs of a female clerk. Clowers's take? Three million dollars.

While some plaintiffs are less sympathetic than others, it's hard not to see these whopping damage awards as poetic justice. Some analysts contend that as such cases grow in number and receive increasing publicity, public attention will shift from the injustice of sexual harassment to the injustice of alleged harassers receiving harsh penalties without fair hearings. Already, companies are scrambling to soothe the hurt feelings of the "forgotten plaintiff," in the nervous words of one legal pamphlet. The *Employee Relations Law Journal* has passed along to employers such handy preventive tips as "Give the accused chance to confront each allegation," "Make reasoned determination of credibility," and "Consider entire range of options" other than termination.

Unfortunately, these sorts of procedural protections frequently run afoul of workplace harassment laws, leaving many employers whipsawed between colliding legal imperatives. Some recent court cases have held that unless an employer can show that its response to a complaint was immediate, and that the alleged harasser received the maximum possible punishment, the employer may be legally liable to the complainant, who can say that her rights weren't protected. The law can even be interpreted as encouraging an employer to fire workers who are merely at a *high risk* for misconduct: several recent cases have suggested that in order to escape liability for punitive damages, an employer must punish a "suspected problem employee" *before* he has done anything illegal. Hence, officials from the University of Puget Sound were able to argue at trial that the decision to fire Zeigler was consistent with—indeed, required by—federal and state anti-discrimination statutes, which state that when confronted with a credible allegation of sexual harassment, an employer must take "immediate and appropriate" corrective action.

As University of Puget Sound officials soon discovered, however, juries tend to be unmoved by employers' arguments that the desire to ward off a hypothetical lawsuit justifies the termination of an innocent employee. The fundamental contradiction in the current legal environment leaves them in an unenviable position: if they don't act aggressively on sexual harassment charges, they may commit a civil rights violation; if they do move swiftly to discipline the alleged harasser, they may find themselves defending a wrongful discharge suit.

This Hobson's choice will be painfully illustrated on October 8, when the California Supreme Court hears

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opening arguments in the strange case of Ralph Cotran. Cotran's lawsuit implicates some of the cutting-edge questions of workplace harassment law: What, exactly, does a "thorough investigation" entail? Do such investigations presume a dual duty to the victim and to the accused? Finally, having saddled employers with the responsibility to transform gender norms—making them "instruments of social policy," in the words of employment law specialist Steven Berlin—is it fair to turn around and punish them for executing that responsibility in good faith?

In 1993, Cotran was fired from his executive job at an insurance company called Rollins Hudig Hall following complaints from two female subordinates that Cotran masturbated in front of them and made obscene phone calls to their home. By all accounts, the decision to fire Cotran was not made lightly. When the charges were made, RHH's Equal Employment Opportunity compliance director, Susan Held, launched what she considered to be a thorough investigation. After obtaining sworn affidavits from the complaining women, Held interviewed twenty-one employees—a process which uncovered a third charge, from a woman who had worked with Cotran six years ago at another company and said that during that period, Cotran had "repeatedly made obscene phone calls to her home while he was apparently masturbating." Though Cotran denied the charges, RHH did not believe his denials. On April 23, 1993, Cotran was terminated on the grounds that the allegations showed he was "unfit to be a manager."

But while the investigation was thorough, it wasn't thorough enough for Cotran. Cotran charged that EEO director Held had not given sufficient weight to evidence that suggested a motive for the women to fabricate their charges: on the morning the charges were filed, the women had faxed Cotran a letter demanding substantial raises, a request Cotran angrily rebuffed. At his wrongful discharge trial, Cotran offered an additional motive. The women, he said, had grown embittered after he had consensual sexual relations with both of them at separate times and the relationships had not gone anywhere. The women strongly denied having affairs with Cotran.

During the first trial, Cotran's lawyer, Richard Knickerbocker, argued that in order to show Cotran had been terminated for good cause, the company had to prove that he actually committed sexual harassment; and that because of the "ineptness and undisguised unfairness" of RHH's investigation, that burden had not been met. RHH, for its part, argued that it conducted as thorough an investigation as possible—it is, after all, a private company and not a police force. RHH also argued that the legality of its decision to fire Cotran ought to depend on what the company *believed* Cotran did, not what he in fact did—since under EEOC guidelines, an employer must "act upon its reasonable belief that harassment has occurred."

A local jury sided with Cotran. In an opinion concurring with the verdict, Judge James Otero wrote that Cotran's accusers were "not believable," and faulted the company for failing to examine sufficiently "the credibility of [their] statements in conjunction with [their] demand for increased wages." He ordered RHH to pay Cotran $1.78 million. But on September 26, 1996, an appeals court reversed the award, holding that due to the heavy regulation of sexual harassment in the workplace, companies needn't have "perfect certainty" of the underlying facts in order to fire employees for such harassment—just a "reasonable and good faith belief" that such conduct occurred. In cases involving sexual harassment, the court wrote, this reasonable and good faith standard should supplant the "proof of actual misconduct" standard, the established standard for contract law. Otherwise, the court held, companies would find themselves "in the unenviable position" of being forced to retain "someone whom it had every reason to believe had [harassed] before and would do it again."

With the California Supreme Court slated to hear Cotran's appeal, that prospect is keeping employers up at night. If the appeals court holding in *Cotran* "does not become the standard, an employer's ability to deal effectively with harassers will be substantially limited," complains Paul Grossman, general counsel of the California Employment Law Council. "Right now, there's an absolute wacko standard for liability to the harassed person. The solution would be to change the standard, not to create a wacko standard in favor of harassers."

Even legal scholars who have criticized the repressive rigor of workplace harassment codes are wary of the attempt to provide redress for every injustice that can befall an employee. "You're not entitled to your job," says Eugene Volokh, a professor of law at the University of California at Los Angeles. "Companies shouldn't have to jump through hoops to terminate their relationship with someone with whom they don't want to be associated."

While Volokh sympathizes with employees fired due to false accusations of sexual harassment, he says they deserve no more special protection than employees fired over a false accusation of tardiness, or incompetence, or pilfering funds from the company cashbox. "Say an employee is fired because he can't get along with his coworkers. Inevitably, that employee will protest that it wasn't his fault, that his coworkers were oversensitive, that they said he shouted when he didn't actually shout.... The employer ought to be able to come back and say, 'I don't want to get into this—you're fired,' without having to justify itself in a court of law."

But that seems unlikely. If anything, the countersuits will spawn more countersuits. Just ask the corporate legal department over at Rollins Hudig Hall. As Cotran's case headed for trial, the beleaguered company found itself battling off another lawsuit—this one brought by Carrie Dolce, one of Cotran's accusers. As Dolce saw it, the company had not fired Cotran quickly *enough*. Rollins Hudig Hall "should have known of the conduct by Cotran, yet failed to take immediate and appropriate corrective action," argued Dolce's lawyer in her complaint. There was, however, one bright spot for RHH. That case was settled for a mere $175,000. •

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ROBESPIERRE OF THE RIGHT

By David Grann

On August 10, 1996, just one day before the Republican National Convention, several hundred of the country's most conservative activists and donors met secretly at a resort on Southern California's Coronado Island. It was the same spot where, nearly four decades earlier, Marilyn Monroe had filmed *Some Like It Hot*—a coincidence probably lost on this crowd, members of the Council for National Policy who were fleeing temptation. Only the purest of the movement had gathered at Coronado: men like Oliver North, Pat Robertson, and Larry Pratt (whom the press had recently drummed into exile for his alleged ties to white supremacists). In the past, the group's clandestine revival meetings had spawned liberal warnings of a right-wing conspiracy.

But this morning, the council would plot against its own internal enemies: GOP apostates. And the chief conspirator was Paul Weyrich, the man who founded the Heritage Foundation, orchestrated the party's alliance with evangelical Christians, and, more than any other figure, organized the right inside the Beltway. "I will tell you that this is a bitter turn for me," Weyrich confessed. "I have spent thirty years of my life working in Washington, working on the premise that if we simply got our people into leadership that it would make a difference.... And yet we are getting the same policies from them that we got from their [Rockefeller] Republican predecessors." It was time, Weyrich concluded, to contemplate the once unconscionable: another revolution, this time against "*our* people."

Neither *The New York Times* nor *The Washington Post* covered or even noticed the meeting. But within weeks, the internal purges had begun; even Newt Gingrich, the man who had brought Republicans to power, was no longer safe from attacks on his right. The fight resembled that of the old left, with Leninists killing Stalinists killing Maoists; or, in this case, Friedmanites killing Buckleyites killing Burkeans.

What Weyrich was proposing was something new in American politics: a Republican politburo. He used his tottering conservative TV network, National Empowerment Television—which he dubbed "the means of communications"—to "denounce" party members who compromised on even the most obscure GOP commandments. He accused Senate Judiciary Chairman Orrin Hatch, a man he had once touted for president, of having "psychological problems." After Senate Majority Leader Trent Lott supported the chemical weapons treaty, Weyrich released an open letter to the public, declaring: "I can't have friends who sell out their country."

If Weyrich were the only conservative purging Republicans, he would be no more than an interesting character—a minor, albeit compelling, player in the history of the conservative movement. Yet he has become, in many respects, a case study of the conservative mind—a metaphor for the right's deep-seated inability to accept the compromising nature of power. Since January, conservatives have orchestrated a coup against Gingrich, sabotaged William Weld's nomination as ambassador to Mexico, and watched as some of its most faithful, including Ronald Reagan's son, defected from the party. The conservative *Weekly Standard*, which proclaimed a "Permanent Offense" in its September 1995 debut, now frets "Is There a Worldwide Conservative Crack-up?" What had taken the left nearly a century, the right has managed in less than three years: self-immolation.

To most of the outside world, of course, this is the moment of conservative conquest. In the last three years, Republicans have reformed welfare, cut taxes, balanced the budget, passed a line-item veto, and banned gay marriage—all despite a razor-thin majority in Congress and a Democrat in the White House. These are not piecemeal compromises: they are major legislative triumphs all but unthinkable just four years ago. The trouble is that after thirty years of attacking government from the outside, the right cannot seem to maintain its stability on the inside. The habits of suspicion, pessimism, and antagonism run too deep. And nowhere do they run deeper than in Paul Weyrich—a man trying his hardest to destroy the very Republican establishment he spent his life building.

When Weyrich arrived in Washington, D.C., in 1967, with his bright pink sport coat and Barry Goldwater glasses, there were only a handful of conservative institutions. The politics of the radical right was still, as Daniel Bell had noted a decade earlier, the politics of frustration—"the sour impotence of those who find themselves unable to understand, let alone command, the complex mass society that is the polity today."

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Inside the Capitol, where the 24-year-old Weyrich worked as press secretary to Colorado Senator Gordon Allott, he was a minority within a minority, a right-winger among Rockefeller Republicans; outside the Capitol, he was heckled by anti-Vietnam demonstrators as he entered the building. "How can you judge me?" he once screamed back. "You don't even know me!" But the taunts continued. For conservatives, recalls William F. Buckley, founder of *National Review*, "Washington was an utterly inhospitable place."

Yet even then, the city tempted Weyrich. "All of a sudden lobbyists were telling me how smart and wonderful I was," he told me during one of several interviews over the last three months. "No one had ever been very nice to me before. Back home [in Wisconsin] they'd cross the street before they'd talk to me."

PAUL WEYRICH BY VINT LAWRENCE FOR THE NEW REPUBLIC

To see how his hero had resisted similar seductions. Weyrich reread Whittaker Chambers's *Witness* and prayed for strength. Then, one day in 1969, after sneaking into a liberal coalition meeting, he had an epiphany. Before him were a dozen congressional aides, a think-tank policy wonk, and a cadre of Democratic interest groups, all coordinating sympathetic op-eds, studies, and demonstrations in an effort to push through a housing bill. Suddenly Weyrich understood not only his enemy but his life calling: to replace the liberal establishment with a conservative one that would guide the movement, at last, out of the wilderness.

With the help of a Burkean nerd named George F. Will and a former University of Mississippi cheerleader named Trent Lott, Weyrich soon founded his first cloister of true believers: the Conservative Lunch Club of Capitol Hill. While his colleagues "sold out" over price and wage controls, in 1973 Weyrich and his growing band unleashed the House Republican Study Committee and its Senate counterpart, the Steering Committee. With his hair greased back à la Joe McCarthy, he warned his enemies: "We are different from previous generations of conservatives. We are no longer working to preserve the status quo. We are radicals, working to overturn the present power structure of the country."

If anything embodied that power structure, it was the Brookings Institution, a liberal think-tank that for decades had stoked the New Deal with ideas. In 1970, Nixon speechwriter Patrick Buchanan sent a memo to the president, pleading for "a conservative counterpart to Brookings." Three years later, Weyrich answered his plea: with a $250,000 gift from Joseph Coors of the brewing empire, Weyrich and his friend Ed Feulner founded the Heritage Foundation. In his short stint as president, Weyrich was given to storming around the office, his normally pale skin blood-red, his pants pulled high above his belly, lecturing those around him on how to be a good conservative.

As the fledgling think-tank became more influential, inevitably blurring with the establishment, Weyrich grew increasingly uncomfortable with his creation. Less than a year after what many consider his greatest accomplishment, he resigned to establish the Free Congress Foundation and its PAC, the Committee for the Survival of a Free Congress. Together, they served as a twenty-four-hour, right-wing fueling station: funding candidates, churning out newsletters, and holding conferences. "It may not be with bullets," he told Richard Viguerie, the right's kingpin of direct mail, "but it is a war nevertheless. It is a war of ideology, it's a war of ideas, it's a war about our way of life."

Soon there were more enemies: hippies, aristocrats, communists, Washington doyennes, Ralph Nader, Vatican II, the IRS, the Warren Court, the women's movement, Ted Kennedy, Harvard University, and *The New York Times*. And there were traitors, too: Nixon and Kissinger and Rockefeller. Even Buckley was suspect. A college dropout whose father tended a boiler at night, Weyrich sneered at the effete, erudite godfather of conservatism.

By 1978, Weyrich's PAC helped sweep into Congress a new, radical breed of populist conservatives. The

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most notable, it turned out, was a brash, young man from Georgia named Newt Gingrich whom Weyrich had trained years earlier at a campaign seminar in Milwaukee.

Finally, on the verge of realizing his right-wing utopia, Weyrich harvested what his friend Morton Blackwell termed "the greatest track of virgin timber on the political landscape": evangelicals. "Out there is what one might call a moral majority," he told Jerry Falwell in Lynchburg, Pennsylvania, in 1979. "That's it," Falwell exclaimed. "That's the name of the organization." Weyrich, who had converted from Roman Catholicism to the Eastern Orthodox church after Vatican II, did more than coin the name; with a handful of activists, he engineered the alliance between the Republican Party and the growing number of evangelicals angry over abortion rights and federal intrusion in parochial schools. Less than a year later, Ronald Reagan walked into the White House.

By 1981, while his friends were still basking in their newfound power, Weyrich began to experience sudden bouts of pessimism and paranoia—early symptoms of the nervous breakdown that afflicts conservatives today. One hour Weyrich would enter the Republican White House to strategize, the next he would flee outside to condemn its policies. All around him, he complained to the editors of the Heritage Foundation's *Policy Review*, his friends had gotten "high-paying jobs and expensive mortgages, and [begun] to be part of the problem."

Hoping desperately to stay on the outskirts, Weyrich started weekly conservative luncheons to keep pressure on the administration. Yet already there were signs of compromise. Even Reagan seemed seduced, flirting with Mikhail Gorbachev and inflating the deficit. In 1984, a despondent Weyrich met with Viguerie to consider creating a third party. "We're sick of electing candidates for the GOP and then being left out in the cold, used, abused, and lied to," Viguerie told the press.

By the 1988 presidential campaign, Weyrich was even more disillusioned. When the Bush camp refused to meet with a group of Afghani resistance fighters, Weyrich conspired to hide them in an adjoining room when Dan Quayle turned up for a luncheon hosted by the Free Congress Foundation; the plan was to spring them on the unsuspecting Quayle. But at the last minute, Bill Pascoe, Bush's liaison to the Beltway conservatives, leaked the plot, and Weyrich snapped. "Suddenly there was a volcano of screaming," recalls one lobbyist in the room. "Weyrich was calling Bill a traitor. He was spitting and frothing at the mouth. We were ready to get him a room right next to Hinckley." When the yelling stopped, Weyrich dispatched a letter to Pascoe's fiancée, questioning Pascoe's loyalty and implying that he was unfit for marriage.

There are many explanations for what Weyrich did next. Some say it was to exact revenge against the Bush administration for snubbing him; others say it was retribution against a pro-choice Republican legislator. But on January 31, 1989, Weyrich simply did what any authoritarian must: he held his first show trial. Surrounded by hordes of media, the still little-known political mechanic strolled into the Senate Armed Services Committee room and denounced his one-time ally, John Tower, as morally unfit for the post of secretary of defense. "Over the course of many years," Weyrich said, as the cameras clicked, "I have encountered the nominee in a condition—a lack of sobriety—as well as with women to whom he was not married.... " Tower later tried to defend himself, but it was too late. The Bush administration, Senator Richard C. Shelby of Alabama told *The Washington Post*, "poured gasoline all over him [and] sent him up to the Senate. Paul Weyrich struck a match and he continued to burn."

Today Weyrich isn't the only Republican striking a match. Now that outsiderism is no longer synonymous with Republicanism, conservatives react to any hint of bipartisanship, or even productive leadership, as an act of heresy. "It's like the Inquisition up here," said one Senate leadership aide, days after the Weld nomination was squelched. "No one feels safe." In his 1962 essay "Pseudo-Conservatism Revisited—A Postscript," Richard Hofstadter observed that the radical right was "uncomfortable with the thought of any leadership that falls short of perfect." At the time, the essay offended many conservatives. Yet by the 1980s, several were parroting it themselves. "The problem with conservatives is that you can get 99 percent right with them," Bush's campaign manager Lee Atwater reportedly griped, "but if you're 1 percent wrong, they want to eat their own."

Since taking power in 1994, conservatives have gorged even by their standards. They have savaged Dole, ravaged Gingrich, plumped up and then devoured Lott. They have shut down the government they spent decades trying to fill. They have, in short, acted as nutty as Weyrich. "A bunch of our people are kind of crazy," David K. Rehr, a longtime conservative activist and lobbyist told *National Journal*. Even Gingrich, who knows something about mania, has begun to distinguish between his conservative critics and "normal people."

The irony, of course, is that conservatives' obsession with perfection and purity has transformed them into a species they always derided on the left: utopians. There is everything or there is nothing, and thus there is often nothing. Dissension is not the problem; dissenters can often rejuvenate a moribund movement—cajoling and carping and nudging the party to stay faithful to its principles. What a movement cannot sustain is Weyrichism—the kind of rhetoric that brands one's own people apostates when they make some of the compromises that power inevitably demands. "Always being disgusted with the people you agree with" can be self-destructive, says David Brooks of *The Weekly Standard*, "but most of all it's bad for your own soul."

Twenty-four hours after the Republicans and Clinton hammered out the balanced budget deal, seventy right-wing activists—everyone from the Cato Institute to

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the Family Research Council—packed into one of Weyrich's luncheons. Weyrich sat at the head table, sipping his Pellegrino and wielding his gavel. How many people in the room support the budget deal? he asked. None raised their hands. How many support the tax deal? Only a few hands went up. Then, from the back of the room, one lobbyist began to shout at Idaho Senator Larry Craig, a hard-line Republican who had always been considered an unwavering ally. "This was your chance to go out and fight," the lobbyist yelled, "and you caved."

Startled at first, Craig stammered: "If you believe that all things can happen at one time, then you should leave town right now."

The room filled with angry groans. "You didn't fight for this!"

"I wasn't the one in the negotiating room—"

"You got zero!"

And so it goes these days in the capital. The triumph of Weyrichism has become the triumph of nothingism. "Weyrich's a naysayer, a complainer, and a grumbler," says Congressman Ray LaHood, a Republican from Illinois. "If he tried to govern, nothing would happen."

At the first ever International Conservative Conference last month, Republicans wallowed in what conservative columnist and former psychiatrist Charles Krauthammer called "postpartum depression." The sessions included: "Why Conservatism Is Failing," "Need Conservatism Crack Up?" and "Diagnosis of Defeat." Equally despairing, Christian right activist Martin Mawyer recently called for the formation of a third party, and Michael Reagan, a popular conservative talk show host, announced he was defecting from the GOP fold to become an independent. "The Republican revolution my father began," he declared, "is, by all appearances, dead."

There is only one problem with all this gloom: it is, as the Gipper might say, morning in America. The economy is roaring, the communist threat has safely receded, and evidence of the conservative revolution is so ubiquitous it is commonplace: a GOP Congress, an antebellum Supreme Court, and a Democratic president who declares, thirty years after the Great Society, the end of big government.

Weyrich need never be lonely again. There is not just the CNP and its secret gatherers. There is *The Weekly Standard* and *The Washington Times*. There is George Will and Robert Novak. There is the permanent Buchanan presidential campaign and his peasants with pitchforks. There is Empower America and the Heritage Foundation. And there is, of course, Weyrich's own potpourri of anti-establishment establishments, from the Free Congress Foundation to the Coalitions for America. "The fact is conservatives have seized the majority, shifted the direction of the country and redefined the agenda," says Dan Meyer, Gingrich's former chief of staff and now a GOP lobbyist. "We are winning. Unfortunately, too many of my friends are determined to claim defeat out of the jaws of victory."

Perhaps there is no better testimony to Weyrich's success than the failure of his latest counter-establishment, National Empowerment Television. Launched in 1993 with a budget of roughly $10 million, it was supposed to be Weyrich's masterwork: the first ideologically driven public affairs network in America, a kind of third-wave *Pravda*. For Weyrich, it was an attempt to dominate the movement again, and cast out those who betrayed him. His strategy was to retaliate against Beltway Republicans by reaching out to Republicans in the hinterlands. "My view is Maoist," he says. "I believe you have to control the countryside and then the capital will eventually fall."

But from the outset, it was a network on the verge of collapse. Its twenty-four-hour-a-day programming was, if anything, less scintillating than C-SPAN's. One program, "Next Revolution," explored "America's abandonment of its traditional Judeo-Christian culture for the cultural Marxism of 'Political Correctness.'" Another, "America on Track," demonstrated "the onboard experience of train travel." The result was broadcasting with about as much sizzle as, say, official television in the Serb republic. So few cable systems carried National Empowerment Televisions that it reached barely 10 percent of all households. It probably empowered even fewer.

In a 1993 op-ed in *The Washington Times*, Weyrich, still hopeful, warned: "Politicians who fail to recognize the significance of NET ... will certainly do so at their own peril." But inside the Beltway, only a few ever saw it, and even less feared it. "I don't even know what the hell NET is," says longtime legislative aide Tod Preston.

NET's General Manager Brian Jones and Chief Operating Officer Burton Pines struggled to diversify programming with shows like "Youngbloods," a Gen-X version of the McLaughlin Group. But Weyrich enforced his own suffocating form of political correctness. One reporter says he was nearly fired for getting a response from the Clinton administration about a scandal; he recalls how, when a guest blurted out on air that he was gay, Weyrich became apoplectic. "Why should I be ashamed?" Weyrich says. "I want people on a mission."

Yet Weyrich even imposed ideological litmus tests on stagehands and secretaries. The result, staffers say, was sound technicians who could spout the pro-life line but not plug in the microphone. "I had a different view of the importance of the battle of ideas," says Pines, who had previously worked at the Heritage Foundation. "I have so much confidence in the power of Reaganite ideas that I've never been afraid to have anyone challenge them.... Inside that building were scared pessimists."

Where Weyrich had once pursued heretics inside the movement, he now hunted them down inside the building. In 1995, Pines, who had helped launch the network and had known Weyrich for nearly two decades, was abruptly fired. A few months later, Jones resigned. In the subsequent months, the network would become

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increasingly Weyrich-centric; his cherubic visage was nearly unavoidable. In addition to his nightly chat show "Direct Line," he hosted "Independent Voice," "Ways and Means," and "American Investigator." Often he filled in for other anchors. His brow showing beads of sweat, he sometimes asked viewers to pray for him; other times he allowed callers to praise him lavishly and at length. "It was like a cult of personality," recalls one former employee.

Night after night, he railed against Republicans, from Colin Powell to Newt Gingrich to Bob Dole's pro-choice chief of staff. In defense of his own invective, Weyrich resorted, characteristically, to religious parable. "I am struck by the fact that we have lots of people who want to be nicer than God," he says. "If you read the scripture, Jesus was not some sort of Milquetoast person with supreme charity. He cut people in two."

As they had back home in Wisconsin, people in Washington soon crossed to the other side of the street when they saw Weyrich coming. Gingrich, who had anchored two shows, declined to sign another contract. Lott revoked the special Senate parking privileges Weyrich had gotten after a car accident. GOP Senator John McCain of Arizona refused even to talk to him. "We know," says Senator Orrin Hatch, "who has the psychological problems."

More and more isolated, Weyrich now surrounds himself with a coterie of sycophants who, aides say, have little understanding of television and who patrol the corridors maintaining ideological discipline. His inner circle consists mainly of family members who receive handsome salaries for their services: one son is in charge of coalition luncheons; another produces "Morning View" on NET; his daughter is vice president for development.

Weyrich also relies increasingly on Bill Lind, a kind of minister of culture who hosts "Next Revolution" each week, always wearing what appears to be the same black turtleneck. Lind's own Manichaean ideology has only encouraged Weyrich. In a futuristic fantasy that echoes *The Turner Diaries* and that was reprinted in *The Washington Post*, Lind depicts a religious war against Washington's elites, where women who pursue a career are "given a bright red embroidered 'C' to wear over their left breast," and where the unfaithful are gleefully burned at the stake. "I well remember the crowd that gathered for the execution," he writes, "solemn but not sad, relieved that at last, after so many years of humiliation, the majority had taken back the culture."

By late 1996, NET's string of neat Victorian brownstones concealed what most people in Washington already suspected: a network on the brink of financial ruin. Weyrich confesses he had to "rape" funds from the Free Congress Foundation to stay afloat; according to tax documents, he transferred over $2 million worth of assets in 1995 alone. Despite an unprecedented $20 million in conservative investments, and the network's transformation from a nonprofit to a private company this March, NET is still losing money.

Weyrich, it seems, has subverted himself. With the profusion of so many conservative voices, there is little demand for NET, even beyond the Beltway. If people want to hear conservatives, they can turn on ABC, or even that old liberal scourge, PBS. "I just don't know if there is a need anymore for National Empowerment Television," says Brit Hume, a former columnist for *National Review* who is now chief Washington correspondent for the newly created Fox News Channel. "Is anybody listening?"

And so Weyrich must now shout louder just to be heard. On one recent evening, when Republican Congressman Joe Barton left an NET broadcast early in order to cast a vote, Weyrich lost it. He blastfaxed his remarks to the media under the headline: "CONGRESSMAN WALKS OUT ON NET LIVE INTERVIEW." "You wonder why they break their word on these big things," he fumed. "They can't even keep their word on little things."

The last time I sit down to interview Weyrich it is at the Monocle, where lobbyists and legislators congregate for lunch. It seems odd to see Weyrich, the spiritual outsider, nibbling on salmon at the same place where JFK sent a limo from the White House to pick up his favorite sandwich. "The problem with Gingrich," he says, "is that he does not have *any* immutable principles that he would die for." (He doesn't seem to notice scrawled on the ceiling above him Sam Rayburn's famous saying: "I live by my principles, and one of my principles is flexibility.") "Lott," he continues, "is the greatest disappointment of my life. I really thought at heart that he was a patriot.... I was wrong."

As he denounces his former friends, he tucks his napkin into his collar, so that it fans over his belly like a veil. He seems conscious of being mistaken for the people around him. He sits with his arms folded, and crosses himself before breaking his bread. When I ask him what to order, he says he doesn't eat here enough to know. Yet, judging by the staff's reaction to him, he seems to be a regular—a fact the manager later confirms.

We chat pleasantly enough, and I wait to ask the last question I have scribbled in my notebook. Finally, as the waiter brings our check, I ask Weyrich if he has not become a kind of K Street Robespierre—a man who once devoted his life to building a movement and who now profits by destroying it. He stares at me unblinkingly, and, for the first time, I glimpse his famous temper.

"I defy anybody to tell me any privilege that I have as a result of what I'm doing," Weyrich says, turning red. "I just think that is a bogus charge." Though he makes at least $280,000 a year for all his operations, and was driven to the restaurant in a chauffeured sedan, I don't say anything. "If the good Lord wants me to do something else then I'll be gone tomorrow," he continues, his voice rising. "Every year I have been in this city I find it more sinful. And I have prayed many times for the opportunity to do something else. And so far the answer keeps coming back: 'Keep doing what you're doing.' " •

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THE HARD QUESTIONS

Superpower failure

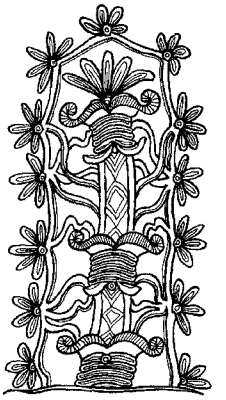
"Our friends and allies don't get it," Madeleine Albright complained last week about the $2 billion deal that a French company (along with its Russian and Malaysian partners) signed with the government of Iran to explore natural gas fields. Didn't they know that the U.S. Congress had explicitly forbidden such trafficking with the Great Satan, and that violators would be punished with severe sanctions? And didn't they realize that the devious mullahs might siphon off some of the money to build guided missiles and bankroll terrorists? Why are these "friends" and "allies" being so willfully difficult? It is all such a puzzlement.

But not so difficult to unravel. Not only is the cold war over, and with it the deference that allies once accorded the U.S., but so is the post-cold war period in which the United States blithely dominated the globe. Allies and protectorates may still find it convenient for the U.S. to take care of their defense, but they don't let that stand in the way of freedom of action where business is concerned. The new world order, where the U.S. arranges the players and orchestrates the music, is increasingly out of order.

In the current fracas the French, as usual, get most of the blame—to their seeming delight. Prime Minister Lionel Jospin, enjoying his role as agent provocateur, declared not only that the deal between Total, a private French oil company, and Iran was perfectly proper, but added, pointedly, "personally I rejoice in it." And the other states of the European Union lined up solidly behind Paris.

The pesky law in question, which sailed through Congress on the wings of domestic lobbies and was signed by Clinton, threatens to impose sanctions on any country investing more than $20 million in Iran or $40 million in Libya because of their links with terrorism. The French, like their European partners, figure that the amount of money in question won't affect terrorism much one way or the other. They also think that the U.S. policy of isolating Iran is bad business and even worse politics. The Iranians, they point out, just had a democratic election in which a political moderate defeated the government-backed candidate. In South Africa under apartheid, the U.S. preached "constructive engagement" to change distasteful policies. Why not, they ask, apply the same policy toward Iran?

But consistency is not the U.S.'s strong suit. Washington gets into squabbles with its allies by trying to block trade and investment in weak states like Cuba and Myanmar (aka Burma) on the grounds that they repress political dissidents. But it lays down the red carpet for China, which could teach the Cubans and the Iranians a few things about repression. Similarly it defends business as usual toward Mexico, despite the open trafficking of high government officials in the drug trade. What, then, exactly is the sacred principle that Washington is defending? A skeptic might suspect that pressure groups and corporate moguls might be exerting a tad of influence.



So far, Iran has not been big business, while China and Mexico are. But American corporations have been chafing under their forced exclusion from profitable markets. Two years ago, the administration, by executive order, blocked the Conoco oil company from signing a billion dollar deal with Iran to develop oil and gas fields. Total, the French company, stepped right in. The American government may think it's defending a principle, but American corporations are getting tired of paying the bill.

In applying an embargo against Iran, and sanctions against its own allies, the U.S. contradicts the key concept of current American economic policy: globalization. The administration has been arguing with all the fervor of a religious convert that we live in a global economy, and that the marketplace is the dominant reality. The inexorable forces of trade and investment are supposed to knock down political barriers and bring in the fresh winds of democracy. Yet the whole point of embargoes and sanctions is to build barriers.

But what bothers the "friends and allies" about U.S. policy is not its inconsistency or its hypocrisy so much as its presumption. While the U.S. Congress can impose whatever restrictions it pleases on American corporations, no one has granted it authority to enforce American laws on other nation's corporations. Here the French, denouncing U.S. efforts to dominate a "unilateral world," have touched a sensitive nerve. The very fact that the U.S. towers over all other countries economically and militarily inevitably provokes resentments. The vision of a "single superpower" spreading prosperity and democracy everywhere while punishing the wicked may inspire Washington, but generates grave suspicion nearly everywhere else.

This time the Russians, who are also involved in the Iran deal, along with the Malaysians, are lined up with the majority against what is viewed as American hegemony. This puts the U.S. in a touchy spot, Gazprom, the Russian partner, is the biggest corporation in the country, and was formerly run by the current prime minister, Viktor Chernomyrdin, also one of its major stockholders. Boris Yeltsin, dependent on Russian fat cats for support, struck a blow for free trade by declaring on TV: "Thank God that Russia, France, and Iran are independent, freedom-loving states, and interference from any other state is not to be tolerated."

All this might be funny if it did not come just as we are shoving an expanded NATO down Russia's unwilling throat, and if we did not need Moscow's help on really serious issues like the Bosnia operation and containing China. Squabbles with important partners over trade deals with their own neighbors is not a confidence-building activity for a superpower that claims both the right and the responsibility to organize the world.

The issue here is not Iran, however irrational U.S. policy may be toward a nation that can neither be ignored nor isolated. The issue is how the U.S. will adjust to the restrictions and responsibilities, as well as the opportunities, of its unique (though inevitably temporary) status. The "single superpower" syndrome not only annoys even friendly nations, but is a straitjacket that impedes our own thinking.

We are a big, powerful nation, and convinced in our hearts that we mean only good. But that very power, combined with a manifest self-righteousness, agitates others to resist us. There is more than one way to run the world, and any concerted attempt to impose our own will meets resistance. Although we prattle about an "interdependent world," we often behave as though the only rules that should apply are our own. The Iran gas deal is a relatively minor issue and will subside. But the principle of whether the U.S. can write rules for the rest of the world is an important one. And it won't be resolved until we start thinking of ourselves not as the law-givers and gendarmes of a new world order, but rather as a cruise director who may think he knows all the answers but will face mutiny unless he persuades everyone else that what he wants is good for them.

RONALD STEEL

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BOOKS & The Arts

Stanley Kauffmann on Films

Wait a While

This, as it turns out, is National Forbearance Week—anyway, I hope so. Three important artists have produced wavering work, and without blinking the present facts, it's the moment for those of us who value those artists to remember what they have done and to await what may come from them.

David Mamet, a premier American dramatist, is essentially an urban writer. Most of his best plays—*The Water Engine, American Buffalo, Glengarry Glen Ross*, for instance—have looked at city grittiness the way a microphotograph looks at the eye of a fly, finding mystery in enlarged detail. A film he wrote and directed, *House of Games*, drew us into the mazes of urban chicanery. Most of the screenplays he has adapted from other people's material, such as *The Verdict*, have the scent of city streets.

Very occasionally, as in his play *The Woods*, Mamet feels the urge to put urban people in non-urban environments. This is his Jack London mode, and this impulse to test sophisticated characters in primitive conditions reaches its extreme in his screenplay for **The Edge** (20th Century Fox). Here a middle-aged billionaire, his young wife, and some companions go to a lodge in the Alaskan mountains, after which the billionaire and a couple of other men fly farther north to find a hunter. Out in the wilds, the plane crashes, of course.

"Of course" because: Why would the billionaire be placed in the wilds if the plot weren't going to pit him against nature in the raw? And why would we have had all those warnings about bears if a 1,400-pound bear weren't going to show up shortly after the crash? These inevitabilities arrive, together with incidents almost equally foreseeable; and unfortunately for the film, the confrontations of bear and billionaire are so pat, the outcome so predictable (do stars get eaten by bears?) that we feel we're watching a sort of ballet arranged for kinetic design rather than for drama.

The plot has other elements, including a very sub subplot about the billionaire's young wife. His three companions all die along the way in the wilds. One of them (a lesser actor) is actually eaten by the bear. The scenes with the bear are mildly exciting but only because we wonder how they were done; the really interesting point is that in every crisis, it's the billionaire who has the best ideas and behaves most sensibly. We must infer, though this point may surprise Mametians, that billions denote character and brain power, that one doesn't amass so much money unless one is a truly calm and courageous character, and that if you're going to be stranded in the wilderness, it had better be with Bill Gates or Warren Buffett.

Well, *sursum corda*. Advance word on a new film that Mamet has written and directed, *The Spanish Prisoner*, is enticing.

Another important artist, temporarily astray, is Anthony Hopkins, who plays Mamet's billionaire. As a Hopkins-watcher for as long as has been possible—I've seen almost all his films and what he has done on stage in New York—I've had the pleasure of watching an artist develop, from his Claudius in a filmed *Hamlet*, through his beset divorcé in *The Good Father*, all the way to his subtly modulated Henry Wilcox in *Howards End* and his twisted thunderbolt in *Nixon*.

I didn't greatly enjoy Hopkins displaying his character's outdoor knowledge here—telling us, for example, that you can season meat with gunpowder or that you can start a fire with ice (by fashioning it into a lens)—although, certainly, many Boy Scouts might watch him profitably. Hopkins never has a false moment in anything he does, but I look forward to seeing him engage more complicated moments.

The director of *Nixon* was Oliver Stone, and the new Stone film is the third example of the need for patience just now. For me, Stone is the most innovative, exciting, *personal* director in American film at present. It is not completely relevant in a discussion of Stone's career that *JFK* and *Nixon* present his own versions of history. So does the work of Shakespeare, Schiller, Kleist, and Brecht, to name only a few whose facts are "facts." I dare to mention Stone in the company of those high-flying names for only one reason: because each of his biographies is a dynamic, fully accomplished work in itself—not a PBS documentary but a film that dramatizes some forces in American action and thought and subconsciousness.

Natural Born Killers is in a sense even less appreciated, or is misconstrued in a

FILMS WORTH SEEING

In the Company of Men. *With the cruelty of Congreve or Wycherley, two modern young men play a trick on a pleasant young woman—with unforeseen results, of course. Diamond-point writing and directing by newcomer Neil LaBute. (Reviewed 9/1/97)* **Mrs. Brown.** *The still-astonishing story of Queen Victoria and her Scottish servant, John Brown. Exceptional acting and fluent directing. (8/4/97)* **My Mother's Courage.** *The mother of George Tabori, that is. This playwright's mother had a day's adventure with the Nazis in Budapest in 1944 that was certainly grim but oddly humorous. Michael Verhoeven directs deftly. (9/29/97)* **A Self-Made Hero.** *By skillful imposture, a young Frenchman manages to float on the surface of World War II and come out OK. Generally amusing, basically bitter. (9/22/97)*—**SK**

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different, more obtuse way. Here the objection is not that Stone has distorted data but that he has, while pretending to indict violence, exploited it. If this is true, then Joseph Heller exploited the horrors of World War II in *Catch-22* and Stanley Kubrick made a joke of nuclear disaster in *Dr. Strangelove. Natural Born Killers* is a phantasmagoria on the love of violence in America, and in the world; and, what is at least equally frightening, of our need to render it in icons, all of which Stone treats with near-dizzying inventiveness and scarifying wit.

Now Stone has made a misjudgment. **U-Turn** (Phoenix), with a screenplay by John Ridley from a novel of his, is another in the long line of wrong-turn stories: a driver makes a wrong turn on the road or some other mistake and ends up in all kinds of troubles. (*Jackson County Jail, The Bonfire of the Vanities.*) In this case Sean Penn, an underworldly character, is driving to California, develops car trouble, and stops off in a small Arizona town for repairs. Here he falls—partly by accident, partly because he moves toward a young woman—into a series of conflicts and plots that make James M. Cain look like Mother Goose.

The trouble, which becomes quickly and oppressively apparent, is that the screenplay has no point except its plot. No theme, no intent of anything like Oliver Stone weight, is ever manifested. And, seemingly, the more that Stone became aware of this central vacancy, the more he laid on cinematic furbelows—lots of symbolic flashes of animals live and dead, lots of intense close-ups, not only of faces but of eyes and teeth.

Penn, not an actor of impressive range, has to handle some unlikely injuries and recoveries. They tax him. Nick Nolte is a plotting and plotted-against husband, Jennifer Lopez is his wily Apache wife. They try. The only performance of any consequence is by Billy Bob Thornton, the *Sling Blade* man, whose role as a garage owner is at least credible and who makes it more than that.

Stone is a great risk-taker, but this time he took the wrong risk, quite unrewarding. Still, it would be offensive to his talent to do anything other than hope for his next film. •

Prometheus Unhinged

BY RICHARD WOLIN

The Aryan Christ: The Secret Life of Carl Jung by Richard Noll

(Random House, 334 pp., $25.95)

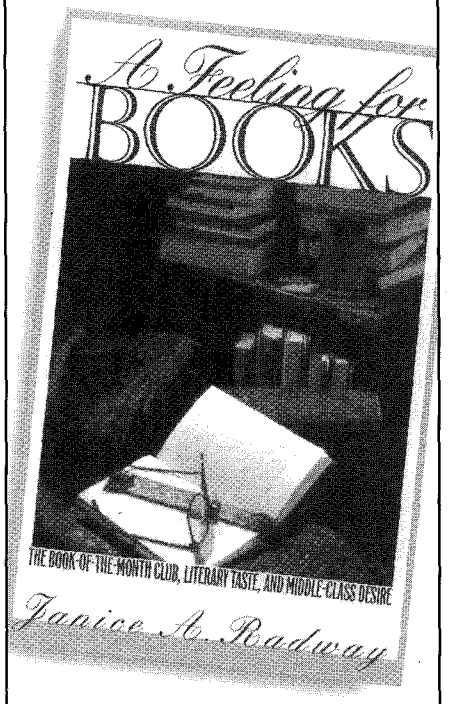
I.

By all accounts Carl Gustav Jung was a peculiar youth. Alienated from his parental milieu in late-nineteenth-century Basel, he took to introspection. At the age of 8 he invented a game whereby he would sit on a stone and ask himself whether he was himself or the stone. "The answer was totally unclear," he would later confess. Two years later he engaged in a ritual with a ruler whose top half he had carved into the figure of a mannequin: in moments of emotional insecurity, he would present the totem, which he scrupulously kept hidden under a floorboard in the attic, with small scrolls written in a secret language. Jung would later describe these rites as a "very powerful formative influence," the "climax and conclusion of my childhood."

Intensely disliked by his classmates—"I had never come across such an asocial monster before," one later recalled—Jung would, to the dismay of his parents, habitually feign fainting spells to escape their sadistic torments. In adolescence, he became preoccupied with the thought that he was really someone else; and thus began his search for what he would call his "No. 2" personality. In accordance with family lore, which held that Jung's paternal grandfather was the illegitimate son of Goethe, Jung came to the conclusion that this shadow self was indeed the great German poet. Later he became convinced that he was Goethe reincarnate.

But the key event of Jung's youth was his celebrated "cathedral fantasy." As he would declare in his autobiography: "My entire youth can be understood in terms of this secret." At the tender age of 12, Jung experienced a prophetic vision. Returning from school on a bright summer day, he took note of the town's majestic cathedral and envisioned

"Good history, good story, good reading."
—CAROLYN G. HEILBRUN



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God seated above it on a golden throne. But his desire further to contemplate this beautiful and imposing structure was beset by an intense conflict that pursued him for days. The inner crisis was finally resolved by another hallucinatory image: an "enormous turd" dropped from God's throne shattering the cathedral to bits, at which point Jung reported feeling a great sense of "relief," even bliss.

Jung's father was a Protestant minister. To his son he had always been a negative role model, the embodiment of indecision and petty bourgeois conformity. Hence the cathedral fantasy came to symbolize not only Jung's Oedipal break with paternal authority and ecclesiastical convention. It also appeared as a sign sanctioning his obsessive pursuit of unorthodox, paranormal truths. In retrospect, Jung's vision seemed to give license to the heretical mystical quests that we now commonly associate with his name and his legacy; quests that pertain to the murky realm of primal images or "archetypes" buried deep within humanity's collective unconscious.

For a time, Jung himself seemed destined for a brilliant and eminently bourgeois career in the field of clinical psychology. In 1900, upon finishing medical school at the age of 25, he became a resident at one of the world's most prestigious clinics, the Burghölzli in Zurich, where Jung apprenticed under the renowned Eugen Bleuler. It was at the Burghölzli that Jung discovered Freud's writings. In 1906 he began to make a name for himself by inventing a word association test inspired by Freud's theory of the unconscious. That same year the two titans of the early psychoanalytic movement began corresponding. Their friendship would peak in 1909, the year in which Freud and Jung traversed the Atlantic together to deliver lectures at Clark University. As their ship approached New York, Freud is alleged to have turned to Jung and said: "Don't they know we're bringing them the plague?"

In retrospect, it is safe to say that the Jung-Freud affiliation was dominated by feelings of profound mutual transference. At the turn of the century the Burghölzli was one of the world's most prestigious psychiatric facilities. Freud, conversely, was marooned in Vienna, and the "psychoanalytic movement"—which at this point consisted of the Master and a handful of Jewish disciples who attended his Wednesday night meetings—sorely lacked an institutional base. In his correspondence Freud made no secret of the fact that he viewed Jung and Bleuler—the "Zurich School"—as the ideal emissaries to spread the psychoanalytic gospel to the non-Jewish world, and thereby to reap the international acclaim that was its due. In this way, the commonplace castigation of psychoanalysis as a "Jewish science" might be surmounted.

Freud held his Vienna associates in relatively low regard. In Jung—tall, handsome, brilliant, a genuine "Teuton"—the 50-year-old Freud believed he had found a worthy successor, the crown prince of the psychoanalytic movement. "You really are the only one capable of making an original contribution," he wrote to Jung in 1908. Three years later Freud would confide to the Swiss psychologist Ludwig Binswanger: "When the realm I have founded is orphaned, no one but Jung shall inherit it all." Thus, when the International Psychoanalytic Association was established in 1910, it was Jung who, with Freud's benediction and to the great dismay of the Viennese contingent, was elected president, a post he would retain until their ultimate break four years later.

In Freud, who was Jung's senior by nearly twenty years, Jung believed that he had found the father figure that he had lacked as a child ("father-son" rhetoric permeated their correspondence), as well as a source of the professional recognition that he sorely craved. Jung never attempted to conceal the homoerotic nature of his attachment to Freud—he speaks frankly of the "undeniable erotic undertone" of his attraction—a veneration that Jung likened to a "religious crush." Freud countered, rather prophetically, that such adulation could only end in apostasy.

To speak of "love at first sight" may be hyperbolic, but we do know that upon their first meeting in Vienna in 1907 the two men talked for thirteen hours straight. His traumatic break with Fliess fresh in mind, Freud frequently pressed in his letters for reassurances of Jung's loyalty. On most occasions, the younger man dutifully complied. Freud was particularly uncertain about the extent to which Jung accepted his theory of the sexual origins of neurosis—his so-called "libido theory," which had become the linchpin of psychoanalytic doctrine. His Oedipal fears seemed confirmed as the two men were about to board the steamship for the Clark University conference. At dinner after a glass or two of wine, Jung began prattling incessantly about the discovery of some prehistoric archaeological remains, "peat-bog mummies," that had been recently unearthed in Belgium. Freud tried to change the topic of conversation, but Jung plowed ahead undeterred. Perceiving Jung's unrelenting fascination with this theme as a death wish against him, Freud fainted.

During their transatlantic voyages, the two men entertained themselves by analyzing one another's dreams until the early morning hours. It was during one of these sessions that a fundamental breach in their relationship occurred. While deciphering one of Freud's dreams, Jung asked Freud to supply some details of his private life in order to complete the interpretation. Freud demurred, claiming that to do so would be to place his authority at risk. According to Jung, Freud's refusal represented a point of no return in their dealings, insofar as it demonstrated that the founder of psychoanalysis valued authority more than truth.

Freud had invested nearly everything in Jung as his hand-picked heir to the psychoanalytic throne; and so for a time he did everything within his power to keep his Swiss colleague within the movement's orbit. To little avail. Around 1911, as Jung commenced work on a bizarre and convoluted treatise whose focal point was the relationship between the unconscious and classical mythology (*Transformations and Symbols of the Libido*), their communications took a decisive turn for the worse. The intellectual paths of the two men had permanently diverged.

Freud always insisted that psychoanalysis was in the first instance a science. His intellectual ethos was firmly rooted in the Enlightenment tradition. By making what had been unconscious conscious, psychoanalysis sought to release individuals from the dead weight of the past and thereby to restore their autonomy. Or, as Freud pithily described the objective of the analytic process: "Where id was, there ego should be." But Jung, as Freud would soon learn, had veered toward a very different constellation of ideas and values. For Jung, it was not enough for psychoanalysis to be a science. Science, in Jung's view, was the epitome of Western rationalism, an arid intellectualism conducive only to libidinal stultification and mass neurosis; it was responsible for the widespread social pathologies of modern man. It was a part of the disease, not the cure. If psychoanalysis were to measure up to the immense spiritual challenge of the modern age, it would have to become something more: a new religion, a worldview that was capable of supplanting the nihilistic values of the moribund Christian West. In 1910, responding to a query by Freud as to whether the psychoanalytic movement might benefit by aligning itself with an ethical fraternity, Jung made himself

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clear: "I imagine a far finer and more comprehensive task for [psychoanalysis] than alliance with an ethical fraternity. I think we must give it time to infiltrate into people from many centers, to revivify among intellectuals a feeling for symbol and myth, ever so gently to transform Christ back into the soothsaying god of the vine, which he was, and in this way absorb *those ecstatic instinctual forces of Christianity for the one purpose of making the cult and the Sacred myth what they once were—a drunken feast of joy where man regained the ethos and holiness of an animal.* [Emphasis added.] That was the beauty and purpose of classical religion."

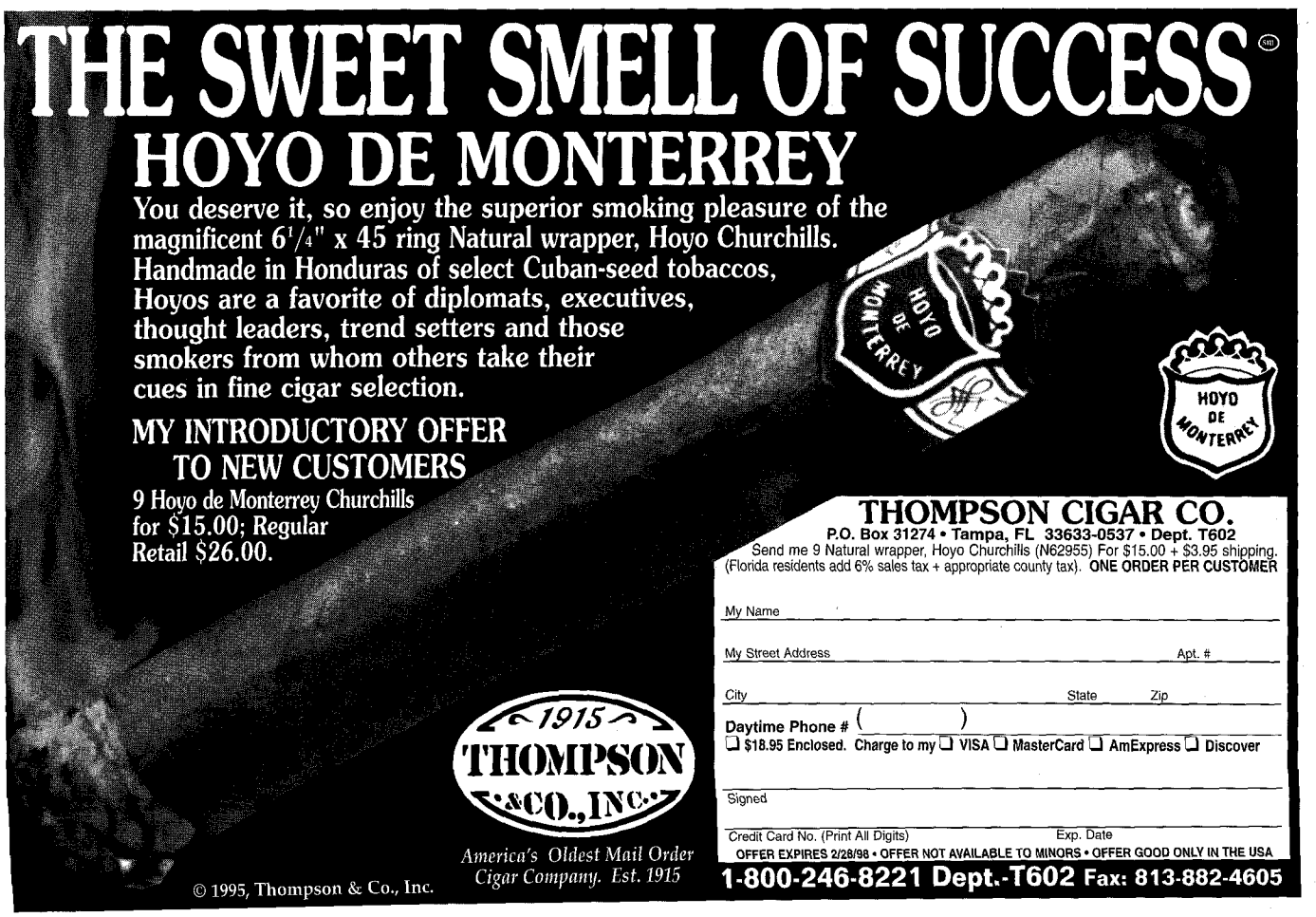
One can imagine Freud's astonishment as he read those lines. He vigorously protested Jung's equation of psychoanalysis and religion: "But you mustn't regard me as the founder of a religion. My intentions are not so far reaching ... I am not thinking of a substitute for religion; this need must be sublimated." His cautionary words were destined to fall on deaf ears. Of course, Jung's suggestion that one must "transform Christ back into the soothsaying god of the vine" was less a prescription for the regeneration of Christianity than a recipe, in the spirit of Nietzsche, for a new paganism. The "soothsaying god of the vine" was none other than Dionysus, whose mythological status was synonymous with intoxication and libidinal-orgiastic frenzy.

These were the extreme and iconoclastic terms in which Jung had reinterpreted Freud's libido theory. It no longer referred merely to the "sexual origins of neurosis." Instead it came to designate a repressed stratum of pre-Christian mythological symbols and practices whose release, via the Jungian technique of "active imagination," would facilitate modern man's reattunement with his lost primal self. (Here Jung's status as the high priest and intellectual guru of the New Age movement—*Iron John, Women Who Run With the Wolves, Denial of the Soul*—is plain for all to see.) The distortions of "civilization," as promoted by rational intellectuals and, often enough, by Jews—a fact which Jung was never averse to pointing out—served only to mask and to mutilate this vital phylogenetic-mythological heritage.

II.

The issue of Jung's anti-Semitism has been much discussed over the years. His supporters are quick to point to his many Jewish associates and disciples. Moreover, it is well-known that Jung was profoundly attracted to Jewish women (though this can hardly be adduced as unequivocal evidence of a philo-Semitic streak). In an early paper he went so far as to refer obliquely to his so-called "Jewess complex." During his Burghölzli years, Jung had an impassioned, on-again off-again affair with a Jewish patient named Sabina Spielrein, who would herself go on to become a Freudian analyst. A few years later, he would engage in a similar arrangement with another Jewish patient, Toni Wolff. Wolff would continue in the capacity of Jung's co-worker and mistress until her death in 1953. Thus, Jung, who had openly flaunted his "polygamous tendencies" in letters to Freud, and who would at one point claim that "the prerequisite for a good marriage, it seems to me, is a license to be unfaithful," showed that he could also walk the walk.

It is also well-known that the theory of archetypes had a strong Aryan-racial component. As Jung would insist, the archetypes deposited in the collective unconscious of Aryans were of a qualitatively different (read: superior) variety than those that could be uncovered in the collective unconscious of Jews. As Richard Noll observed in 1994 in his provocative study *The Jung Cult*: "Semitic cultures were not regarded by Jung as based as directly on the same natural sources of Ur-religion as the ancient Aryans and therefore did not have 'mys-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teries' in the sense of a direct experience of the divine through initiation rituals." Indeed, one of the sources employed by Jung in *Transformations and Symbols of the Libido,* Albrecht Dieterich's *A Mithra Liturgy,* makes this standpoint unequivocally clear. Referring to the central Aryan-pagan motif of rebirth through ritual initiation, Dieterich remarks: "The Jews do not have this image."

In Jung's essay on "The State of Psychotherapy Today," written in 1934, his rejection of psychoanalysis as a "Jewish science" reached fever pitch. (One must appreciate that, when he was publishing such diatribes, Jung was safely tucked away at his home in Küsnacht, Switzerland. There were no thugs from the S.S. forcing his hand; his heart was in it.) Jung begins by claiming that "Freud took his stand with fanatical one-sidedness on sexuality, concupiscence—in a word on the 'pleasure principle'.... It almost looks as if man's desire and greed have been made the cardinal principle of psychology." By leveling these charges, Jung was merely reiterating the standard litany of anti-Semitic insinuations against Freud and his doctrines: that psychoanalysis, like a Jewish science and like Jews in general, was excessively concerned with sex, that Jews were predominantly driven by greedy and lascivious motivations. That Jung's accusations were wholly unoriginal makes them no less damning in their context, as the Nazi dictatorship began to entrench its brutal rule. And Jung concluded the essay with an even more devastating characterization of Jews and their debased phylogenetic heritage:

> The Jews have this peculiarity in common with women; being physically weaker, they have to aim at the chinks in the armour of their adversary, and thanks to this technique which has been forced on them through the centuries, the Jews themselves are best protected where others are most vulnerable.... As a member of a race with a three-thousand-year-old civilization, the Jew, like the cultured Chinese, has a wider area of psychological consciousness than we. Consequently it is *in general* less dangerous for the Jew to put a negative value on his unconscious. The "Aryan" unconscious, on the other hand, contains explosive forces and seeds of a future yet to be born, and these may not be devalued as nursery romanticism without psychic danger. The still youthful Germanic peoples are fully capable of creating new cultural forms that still lie dormant in the darkness of the unconscious of every individual—seeds bursting with energy and capable of mighty expansion. The Jew, who is something of a nomad, has never yet created a cultural form of his own and as far as we can see never will, since all his instincts and talents require a more or less civilized nation to act as host for their development.

According to Jung's warped conception of racial archetypes, the Jews, as an older people, had been subjected to the repressive and debilitating influences of monotheism—Nietzsche's "slave morality"—for a longer time than the Aryans. Thus, though Jewish "intellect" and "consciousness" remained acute (from a Jungian standpoint, this was a dubious compliment), their "unconscious," the source of all creativity, energy, and life, was hopelessly impoverished. But the Aryans remained a "youthful" people insofar as they had endured the Judeo-Christian yoke for only a thousand years. Their unconscious was much richer. From them there was still much to hope.

Given that the doctrine of the collective unconscious, the centerpiece of Jungian psychology, was so thoroughly indebted to contemporary racial thinking—in *Transformations and Symbols of the Libido,* Jung approvingly cited H. S. Chamberlain's *The Foundations of the Nineteenth Century,* which would later become a Nazi bible—it is not surprising that he found himself quite at home in the early years of the Third Reich. Jung eagerly cooperated with the Göring Institute for Psychological Research and Psychotherapy, accepting the presidency of the Nazi-run General Medical Society for Psychotherapy and serving as editor for its journal, the *Zentralblatt für Psychotherapie.* Although Jung always claimed that he undertook these responsibilities with the intention of protecting Jewish colleagues—a possibility one cannot rule out—such professions of philo-Semitism are belied, as we have seen, by his public statements on the rigid phylogenetic differences between Aryans and Jews.

Already in an address in 1932, Jung celebrated the triumphs of Italian fascism: "The huzzahs of the Italian nation go forth to the personality of the Duce, and the dirges of other nations lament the absence of strong leaders." In 1934, in the published version of the same lecture, he would add: "Since this sentence was written, Germany too has found its Führer." Positive references to Hitler are not uncommon in his pronouncements during this period. In a radio interview in Berlin in 1933, Jung went to great lengths to demonstrate the synchronicity between his own "analytic psychology" and the Nazi revolution. As he would remark, "only the self-development of the individual, which I consider to be the supreme goal of all psychological endeavour, can produce consciously responsible spokesmen and leaders of the collective movement. As Hitler said recently, the leader must be able to be alone and must have the courage to go his own way."

In the same interview, Jung praised the principle of "leadership" and denigrated democratic institutions ("only in times of aimless quiescence does the aimless conversation of parliamentary deliberations drone on") in an unmistakably National Socialist idiom. Then, in an interview in January 1939 published in *Hearst's International Cosmopolitan,* Jung characterized the German Führer in these glowing terms: "There is no question but that Hitler belongs in the category of the truly mystic medicine man. As somebody commented about him at the last Nürnberg party congress, since the time of Mohammed nothing like it has been seen in this world. This markedly mystic characteristic of Hitler's is what makes him do things which seem to *us* illogical, inexplicable, curious and unreasonable.... So you see, Hitler is a medicine man, a form of spiritual vessel, a demi-deity or, even better, a myth."

As Geoffrey Cocks has shown in *Psychotherapy in the Third Reich,* Jungian psychology's emphasis on the unique collective experiences of particular races and cultures garnered for his theories an especially favorable reception in the Nazi years. When Freud's theories were banned and his books were burned, Jung's ideas enjoyed a renaissance. Nor was Jung himself averse to the attention that his doctrines were receiving. In 1946, the British Foreign Office went so far as to consider trying Jung as a war criminal. A never-published but potentially damning compilation of documents, "The Case of Dr. Carl G. Jung: Pseudo-Scientist and Nazi Auxiliary," attested to their findings. In the end, they decided there were bigger and bloodier fish to fry.

Certainly, as time passed, Jung began to appreciate the diabolical fanaticism that was endemic to the regime and to take his distance. But in many respects it was too late. True to the Faust legend that he admired (whose greatest version had been written by his reputed great-grandfather), Jung had sold his soul to the devil. Jung was never an outright Nazi, but his status as a fellow-traveller of the movement—and, more importantly, the marked intellectual affinities between many of his central ideas and the National Socialist worldview—remain troubling to this day.

As a result of two recent and dramatic archival findings, the balance of the evidence on the question of Jung and anti-

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Semitism seems to have tipped decisively against the Swiss psychologist. A letter to a Swedish colleague written by Jung in 1913 has been discovered, and it suggests that the rupture with Freud was a major stimulus in the development of his own anti-Semitic attitudes. As Jung baldly declares toward the end of the letter, "Until now I was no anti-Semite, but now I'll become one, I believe." And, as Richard Noll revealed in *The Jung Cult*, the "Aryans-only path to redemption that Jung envisioned in 1916 is supported by a 'secret appendix' to the bylaws of the Analytical Psychology Club of Zurich." According to this clandestine provision, Jewish membership in the Club was tightly "restricted": there was a 10 percent quota on regular Jewish membership and a 25 percent quota on Jewish guest membership. Apparently, Jung finally did away with the quota in 1950, as public debate over his collaboration with the Nazis threatened to harm his psychotherapeutic empire. Noll views this evidence as "confirmation of Jung's longstanding covert anti-Semitism."

III.

In 1911, Jung repeatedly declared that he was being tormented by the "hydra of mythological fantasy." What sinister forces had come to possess the mild-mannered assistant to Bleuler and rising star in the psychoanalytic firmament, now caught in the grip of hallucinatory delusions and Dionysian excess? For the answer to this question we must turn to Richard Noll's pathbreaking new book. It is safe to say that, in the aftermath of Noll's fascinating labors of demystification, our understanding of Jung and his legacy has been permanently transformed.

According to Noll, one of the turning points in Jung's career was his fateful encounter with the sexual immoralist and renegade psychoanalyst Otto Gross. In the early years of psychoanalysis, Gross seemed to be destined for greatness. Few who knew him ever doubted either his genius or his charisma. For Ernest Jones, Gross was "the nearest approach to the romantic ideal of a genius I have ever met." Freud once claimed that, along with Jung, Gross was one of the few persons "capable of making an original contribution [to psychoanalysis]." But Gross was also, to put it mildly, a deeply troubled soul. He was incurably addicted to cocaine and morphine. His combined reading of Nietzsche and Freud had taught him that sexual monogamy was the primary source of contemporary civilization's ills. And so he became a prophet of unrestricted libidinal gratification.

His father, Hans Gross, was the founder of modern criminology. Though Austrian by birth, the elder Gross was by all accounts the incarnation of Prussian patriarchal intolerance. After Otto's debauchery had spun out of control in the 1910s, his criminologist father had him declared legally incompetent. A warrant for his arrest was circulated, and an international manhunt ensued. Gross was captured and incarcerated, and a "Free Otto" movement sprang up among Central Europe's Bohemian intelligentsia. Thereafter, Gross settled in Prague, where he and Kafka became friendly. Undoubtedly, the two frequently commiserated about the injustices of paternal despotism. Some scholars maintain that Gross's legal travails were the model for *The Trial*'s Josef K.

Gross was a fixture on the Munich-Zurich-Ascona counterculture circuit, where vegetarianism, free love, and pagan spirituality reigned. Yet Gross's habits were too much even for this milieu of fin-de-siècle progressives, and he was reportedly expelled from Ascona's Monte Veritá settlement for engaging in orgies. In 1907, Gross carried his message of libidinal redemption north to Heidelberg, home of the celebrated Max Weber *Kreis*. There Gross encountered the von Richthofen sisters, Else Jaffe and Frieda Weekly. Both were married. (So was Gross.) He seduced each of them in turn. Later that year Else and Otto's wife, also named Frieda, gave birth to sons by Gross. Both women named their sons Peter. A few years later, Frieda Weekly would elope with D.H. Lawrence in one of the century's most celebrated itinerant literary romances; and through her, Gross's influence on Lawrence was profound. When all is said and done, he was probably one of the major subterranean influences on twentieth-century European literature. Gross met an untimely if foreseeable end on the streets of Berlin, where he was discovered homeless and starving to death in 1920.

In 1908, Gross had once again hit rock bottom. Strung out and penniless, at Freud's suggestion he sought out Jung at the Burghölzli for a last-ditch psychoanalytic cure. Despite Jung's initial reluctance, the two men hit it off famously. According to Noll, they would take turns analyzing each other in marathon sessions of twelve hours or more. As Jung would report to Freud: "Whenever I got stuck, he analyzed me. In this way my own psychic health has benefited." Jung, it seems, couldn't praise Gross highly enough: "In spite of everything he is my friend, for at bottom he is a very good and fine man with an unusual mind.... In Gross I discovered many aspects of my true nature, so that he often seemed like my twin brother—except for the dementia praecox." As it turns out, this would prove to be quite a significant exception.

Gross would ultimately "terminate" the analysis by jumping over the Burghölzli walls and fleeing toward Munich. Still, it appears that at a certain point in the analysis Jung and Gross essentially traded roles: Gross became the analyst and Jung the patient. As a result of this role reversal, Gross liberated Jung from the strictures of bourgeois monogamy and converted him to Gross's own doctrine of untrammeled libidinal hedonism. Indeed, not long after Gross's disappearance, positive references to Jung's own "polygamous components" began appearing in his letters. In *Transformations and Symbols of the Libido*, Jung would write: "The existence of a phallic or orgiastic cult does not indicate *eo ipso*

A Portrait

It was getting dark, and all the while
Something in you was coming forward,
The way a mountain appears to loom
At the end of day. We were talking

About myriad things as dusk dissolved
The table between us, where a bottle
Of wine floated in summer's aura.
Then the light changed, your profile

Sharpened, and suddenly I saw
A side of you that could kill.
Calmly I sat, watching something
That all along had been hiding

In the background, under your shyness,
Under your stillness. Your shoulders,
Broad enough to hold years of silence,
Bore no weapon, but surely your hands

Had carried one, reluctantly, securely.
And your arms folded before me
Posed an enormous question
Forbidding any answer.

PHILLIS LEVIN

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a particularly lascivious life any more than the ascetic symbolism of Christianity means an especially moral life."

According to Noll, moreover, Jung's relationship to Sabina Spielrein took a sudden erotic turn due to the encounter with Gross. Spielrein would provide telling evidence to this effect in an entry from the diary she kept during her treatment by Jung: "I sat there waiting in deep depression. Now he [Jung] arrives, beaming with pleasure, and tells me with strong emotion about Gross, about the great insight he has just received [i.e., about polygamy]; he no longer wants to suppress his feeling for me, he admitted that I was his first, dearest woman friend, etc., etc., (his wife of course excepted), and that he wanted to tell me everything about himself." "Poetry" seems to have been the code word she used to describe their many intimate encounters and trysts during these years.

According to Noll, the upshot of Gross's analysis with Jung was that the analyst, and not the analysand, was permanently transformed: "Gross captivated Jung with his theories of sexual liberation, his Nietzscheanism, and his utopian dreams of transforming the world through psychoanalysis. Jung must have heard stories about a world that he had been too afraid to venture into, a bohemian realm that was antithetical to everything he thought he valued." From then on, Jung began to abandon the bourgeois world of scientific sobriety and social respectability, and to plunge into a hallucinatory world of neopagan mystery cults and occult practices. In this way, Jung willingly succumbed to the "hydra of mythological fantasy" he had alluded to in his letters to Freud. Such themes and influences would become a staple of his writings and his teachings in the crucial decade between 1910 and 1920, when the formative concepts of Jungian "analytical psychology"—anima and animus, persona, collective unconscious, and archetypes—were elaborated.

It was at this point that Jung reconceived the analytic project in an avowedly counter-Enlightenment spirit. For Jung, this meant overcoming the strictures and the inhibitions of the conscious mind (the "persona") and engaging in a confrontation with phantoms of the archaic past that lay sedimented deep within the collective unconscious—the analysand's "inner fatherland," to employ Noll's apt characterization. As Noll observes: "The iron cage of 'civilization'—Judeo-Christian beliefs and other political and value systems—had to be cast off in order to recover true culture, the primordial ground of the soul, the *Volk*. There was only one solution: recover the 'archaic man' within, allowing a rejuvenating return to the chthonic powers of the Edenic, Aryan past." In this way the doctrine of "Aryan psychoanalysis" was born. Thereafter, Jungian analysis would serve the ends of re-enchantment and myth rather than the Freudian ends of maturity and autonomy. At the same time, it is important to recognize that the *volkisch*-neopagan epiphanies that Jung was experiencing at this time were far from unique. Instead they dovetailed with a much broader German rejection of modern cultural "decadence" in favor of the life-enhancing values of Aryanism, archaic religion, spiritualism, and sun worship.

IV.

One of the high points of *The Aryan Christ* is Noll's account of Jung's purported self-deification. Jung recounted this experience in 1925 in the course of a seminar, the transcript of which has recently come to light. There Jung tells the story of a series of delusional, self-induced trances that he underwent in 1913. During those reveries, he claims to have encountered a gallery of mythological demigods. There was Philemon-Elijah, a figure from Mithraic lore with a long white beard and the wings of a kingfisher. And there was Salome, whom Jung would come to identify as his "anima" or female inner self. Convinced that Jung could cure her blindness, Salome began to worship him. In response to Jung's question, "Why do you worship me?," she replied simply: "You are Christ." Then, the following scene occurred:

> Then I saw [a] snake approach me. She came close and began to encircle me and press me in her coils. These coils reached up to my heart. I realized as I struggled that I had assumed the attitude of the crucifixion. In the agony and the struggle, I sweated so profusely that the water flowed down on all sides of me. Then Salome rose, and she could see. While the snake was pressing me, I felt that my face had taken on the face of an animal of prey, a lion or tiger.

Thus transpired Jung's experience of pagan self-apotheosis by means of an initiation into the cult of ancient Mithraic mysteries. In the course of this visionary quest, he had become the legendary Deus Leontocephalus, or lion-headed god, of Mithraic-Aryan lore. Only individuals with the most profound capacity for "active imagination" were capable of experiencing this *ur*-stratum of the Indo-European ancestral-archetypal past. Jung would recall that "the important part that led up to the deification was the snake's encoiling of me. Salome's performance was deification. The animal face which I felt mine transformed into was the famous [Deus] Leontocephalus of the Mithraic Mysteries." (Mithraism was a dualistic religion that flourished in late antiquity. Its liturgies included secret initiation rites; and the most sacred moment of the ceremony came with the unveiling of an image of Mithras slaying a bull, the celebrated "tauroctony.")

Little wonder that, shortly after reading *Transformations*, Freud would offer the following comments about the phylogenetically expanded concept of libido with which Jung and his Swiss cohorts were experimenting at the time: "They are now doubting the influence of infantile complexes and are at the point of already appealing to racial differences in order to explain the theoretical disparity." And further: "Jung must now be in a florid neurosis.... [My] intention of amalgamating Jews and goyim in the service of [psychoanalysis] seems now to have gone awry. They are separating like oil and water." According to Noll, Jung's self-deification in 1913 would become the cornerstone of Jungian psychoanalysis in general. Thus, Jung's own primal confrontation with illustrious mythological forbears or "archetypes"—his personal transfiguration *qua* Mithraic Deus Leontocephalus—would become the model of his own analytic approach. In this way, Jung sought to effect a synthesis among the diffuse currents of heretical knowledge preoccupying him at the time—Aryan religion, sun worship, spiritualism, ancient mystery cults—and to integrate them within his own method of "analytic psychology."

In *The Jung Cult*, Noll offered the following lapidary account of the ideological intentions underlying Jung's professed "phylogeny of the human soul":

> In the individual psyche there are strata that comprise the sediment of two thousand years of Christianity. Two thousand years of Christianity makes us strangers to ourselves. In the individual, the internalization of bourgeois-Christian civilization is a mask that covers the true Aryan god within, a natural god, a sun god, perhaps even Mithras himself.... In society, too, Christianity is an alien mask that covers our biologically true religion, a natural religion of the sun and the sky. The scientific proof are cases of patients with dementia praecox documented by Jung and his Zurich School assistants that demonstrate that there is a pre-Christian, mythological layer of the

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unconscious mind. It is archaic and corresponds to the thought and especially to the souls of our ancestors.

Thus Jungian analysis "became an initiatory process, a descent into the unconscious mind in order to spark a process of individual transformation through a direct encounter with the transcendental realm of the gods.... For those that survived an encounter with the god or gods, Jung promised rebirth as a true 'individual,' free from all repressive mechanisms of conventional beliefs about family, society, and deity."

At the same time, it appears that Jung's account of his own Mithraic self-deification was substantially, even fatally, flawed. For it is apparent that Jung's description of Mithraic rites is taken from a well-known contemporary source, the Belgian scholar Franz Cumont's study, *The Mysteries of Mithra.* Cumont's work was translated into German in 1903, and Jung cites it in *Transformations and Symbols of the Libido.* According to Noll, Jung's entire knowledge of Mithraism derived essentially from a single chapter of Cumont's work entitled "The Mithraic Liturgy, Clergy, and Devotees."

Needless to say, if Jung's familiarity with Mithraism is primarily derived from contemporary textual sources, then his claims to have experienced a genuine Mithraic initiation ritual via the procedure of "active imagination" are groundless. Either such claims were an outright fabrication on his part, or else they were the result of "cryptomnesia"—hidden memories that Jung had either forgotten or repressed, which then resurfaced in the course of his self-induced trance. In any event, his reputed self-apotheosis as the Deus Leontocephalus—the foundational experience upon which Jungian analytical psychology is predicated—stands as little more than a phantasm or chimera. There may be a more polite way of putting it, but essentially Jung was a fraud. Or, as Noll remarks, "the collective unconscious may still be said to exist, but only on the shelves of Jung's personal library."

And there is a further problem with Jung's reliance on Cumont. Subsequent archaeological findings have disproved or seriously called into question many of Cumont's speculations about the meaning of Mithraic liturgy and iconography. In fact, contemporary scholars now speak freely of a "breakdown of the old Cumontian consensus" and of the "mythical" aspects of Cumont's own reconstructions and interpretations. Not only were Jung's visions of neopagan rebirth based on contemporary literary sources; his sources were in turn based on historically fallacious interpretations.

Jung and his Swiss colleagues claimed to have discovered significant evidence of kindred Aryan-Mithraic imagery while analyzing neurotic patients. Jung contended that such clinical testimony constituted irrefutable proof of a collective unconscious as a repository of primal images from the Indo-European past. How, then, is one to account for these corroborating archetypal visions among Jung's patients? The answer is simple. As Noll convincingly shows, many of these patients had easy access to a wealth of contemporary publications—pamphlets, journals, books—celebrating neopagan spirituality. On the Munich-Zurich-Ascona circuit from which Jung and company recruited the majority of their patients, such pagan-mythological motifs were the rage. Undoubtedly, then, the "recovered memories" of Jung's patients revealed much more about contemporary European culture than about Indo-European prehistory. And given the passionate nature of Jung's new mythological interests, his assistants were no doubt instructed to press with particular zeal when it came to unearthing such themes in the course of their analyses. The power of sugges-

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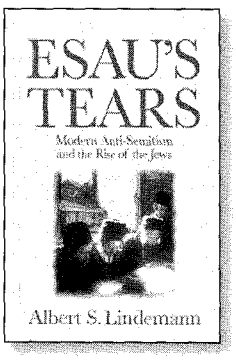
Albert S. Lindemann



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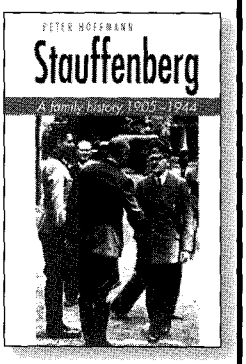

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tion itself can account for a good number of such pseudo-instances of phylogenetic recollection.

V.

At several points in his career, Jung recounted the story of one of his landmark cases: the patient who in Jungian lore came to be known as Solar Phallus Man. In a famous interview with the BBC in 1959, two years before his death, Jung credited this case as having first convinced him of the reality of the collective unconscious. Similarly, the Jung scholar Sonu Shamdasani has maintained that the Solar Phallus Man "carried on his shoulders the weight and burden of proof of the Collective Unconscious." It is with the particulars surrounding this celebrated case that Jung's trail of intellectual charlatanry begins to glow red hot.

Jung's first discussion of the case appeared in *Transformations and Symbols of the Libido.* He describes a psychotic patient who had visions of an erect phallus swaying from the sun; and as the phallus moved, the wind would blow. In the 1911 version of *Transformations,* Jung identified his assistant J.J. Honegger, as the attending physician in the case. "This strange hallucination remained unintelligible to us for a long time until I became acquainted with the Mithraic Liturgy and its visions," Jung claimed. He went on to cite a work by G.R.S. Mead, *A Mithraic Ritual,* which appeared in 1907, as his source for the link between the solar phallus imagery and the ancient Mithraic liturgy.

Honegger committed suicide in 1911. In Jung's subsequent references to the case, Honegger's involvement is excised from the record. As Noll shows, Jung began falsifying the record beginning in 1930, with an essay called "The Structure of the Psyche," in which he personally takes credit for having discovered the case. Honegger's name is also missing from the 1952 edition of *Transformations.* Instead, Jung simply claims that the Solar Phallus Man was his patient, as he would also maintain in the BBC interview. Moreover, in discussions of the case dating from the 1930s, Jung would backdate it to 1906, though Honegger had not started working at the Burghölzli clinic until 1909, which would thus have been the earliest date the Solar Phallus Man could have been treated by him.

What could Jung's motive have been for falsifying the date of the case and for effacing Honegger's name from the case history? Again, Noll has brilliantly deciphered the mystery. Jung backdated the case in order to avoid the suspicion that the Solar Phallus Man's reminiscences could have been derived from contemporary literary sources rather than the depths of the collective unconscious. Since Mead's book on Mithraic liturgy appeared in 1907, one way of deflecting skepticism would be to claim that the patient's hallucinations predated its publication—hence the decision to date the case from 1906. Once the decision to falsify the date of the case had been made, however, Honegger's pivotal role in its discovery would also have to fall by the wayside, since he had only begun treating patients in 1909.

Honegger's papers, which were mysteriously missing for eighty years, have recently been deposited in the Library of Congress. Though they are known to contain Honegger's notes to the Solar Phallus Man case, the Jung estate has apparently forbidden access to them. At some point Jung became aware of the fact that a book by Albrecht Dieterich in 1903 (Jung at times relied on the 1910 edition of Dieterich's work) contained a detailed description of Mithraic Liturgy. And now the story changed again: Jung's editors, in an attempt to cover for the Master, alleged that the patient in question had been institutionalized long before 1903 and hence could not have been familiar with the text. Yet, as Noll convincingly shows, there were numerous other popular publications available at the time that may have been the source of such knowledge:

> Even an institutionalized mental patient could pick up a Theosophical journal and ingest an occultist interpretation of the latest scholarship on Greek Magical Papyri (including the Mithraic Liturgy), the Hellenistic mystery cults, polytheistic Greco-Roman religion, Zoroastrianism.... The likelihood that Honegger's patient ... could have come into contact with such publications is quite high. The myriad publications of the Theosophical Society provided more than enough material to fill any personal unconscious with the sort of mythological material that Jung and his associates claim was from a nonpersonal source.

Today, as Noll documented in *The Jung Cult,* Jungianism is a world-wide industry generating hundreds of millions of dollars in annual revenue. C.G. Jung Educational Centers may be found in most major cities around the globe. They serve to attract converts, patients, trainees, and benefactors; and more generally they function as an institutional basis to propagate the faith. Over the years, wealthy patrons have endowed the Bollingen Foundation, which has overseen the publication and the translation of Jung's collected works throughout the world. In *The Aryan Christ,* Noll recounts the fascinating tale of one such patient-benefactress, Edith Rockefeller McCormick, whose wealth and influence were instrumental in facilitating Jung's success during the tenuous early years of his movement. Since the 1970s, Jung's influence on spiritualistic currents of the New Age movement has been enormous. It may be a slight exaggeration, but scratch a witch and you will find a Jungian.

How might one account for the astonishing success of Jung and Jungianism in the contemporary world? Simply put, Jung's doctrines satisfy a spiritual hunger among a privileged elite for whom the answers of traditional religiosity have long sounded hollow and antiquated. Jungianism therefore provides an antidote to what Hegel called "the prose of the world": to the secularism of a modern society for which questions of salvation have increasingly become a matter of indifference. In this respect, Jungianism is capable of providing something that Freud—the immovable secular humanist—shunned like the plague: a promise of redemption. The basic terms of Jungian psychology—anima, persona, archetype, collective unconscious—may well be only verbal hocus pocus and intellectual chicanery. Little matter. For true believers, they do the trick. They claim to put the individual in touch with mysterious powers that transcend his own atomized and spiritually impoverished existence. They offer a promise of wholeness and meaning in an acosmic universe where prospects for salvation seem to exist at an infinite remove.

There is something deeply disturbing about all this. If there is so much about Jung and Jungianism that is conceptually and historically flawed—a conclusion that seems incontrovertible after reading Richard Noll's landmark studies—what can be the value of these mystical consolations? History has repeatedly shown that, in times of acute turmoil, nations and individuals are willing to rely on extravagant mythological means to endow a confusing world with order and meaning. They prefer illusion to perplexity. And it is others who usually pay the price for their illusion, and then for their disillusion.

RICHARD WOLIN is the author, most recently, of *Labyrinths: Explorations in the Critical History of Ideas* (University of Massachusetts Press).

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Who Killed Frank Steunenberg?

By Alan Brinkley

Big Trouble: A Murder in a Small Western Town Sets Off a Struggle for the Soul of America by J. Anthony Lukas

(Simon & Schuster, 875 pp., $32.50)

On a snowy Saturday evening in December 1905, Frank Steunenberg—a former governor of Idaho—went for a walk down the main street of Caldwell, the burgeoning commercial town in which he was now a leading businessman. He visited his doctor, stopped in at the bank that he and his brother owned, spent a few quiet minutes in the Saratoga Hotel reading the local newspaper, and headed home. As he closed the white wooden gate that separated his well-tended property from the street, a tremendous explosion flung him into the air and tossed him ten feet across the lawn. A few hours later, he was dead.

The bomb that killed Frank Steunenberg launched one of the most celebrated trials of the early twentieth century. It also helped reveal the depth and the ferocity of class divisions in those early years of the modern industrial order. In the aftermath of the Steunenberg assassination, the forces of capital and the forces of labor in the rapidly commercializing West—and in much of the rest of the nation—became locked in a bitter conflict that J. Anthony Lukas aptly describes as "a struggle for the soul of America." This vast and remarkable work of history does many things, but its principal achievement is to reveal how deeply and passionately Americans of the early twentieth century fought each other over issues of power and wealth.

I cannot claim here to be an impartial critic. The author was my friend of nearly two decades. I spoke with him often about this project during the many years he worked on it, and I commented on the manuscript toward the end. Under ordinary circumstances, I would not have permitted myself to write this review. But the circumstances are not ordinary. On June 5, as he was completing his final revisions of his manuscript, the author of this book took his own life. So I will take this opportunity to do what he can no longer do for himself: to try to explain why he wrote this book and what he thought it had to say. I will also offer my own sense of how well he succeeded.

Big Trouble is, first and foremost, a story—a large, heavily populated story of violence, hatred, deception, and betrayal; but a story told with such wit, energy, and grace that it becomes a riotous, sprawling historical entertainment. It is also an important contribution to the field of American labor history, which in recent years has transformed scholarly understanding of the working class in the late nineteenth and early twentieth centuries. In particular, this book confirms and resplendently amplifies the argument that two generations of historians of labor have developed: that the rise of modern industrial capitalism was not simply an economic triumph or a historical inevitability, but a harshly contested process in which workers and employers battled constantly and often violently for control of the transformations in which both were inextricably ensnared.

Not all workers in the early twentieth century subscribed to the timid strategies of Samuel Gompers and the American Federation of Labor, with their bourgeois aspirations and their commitment to protecting the privileges of skilled workers. There were many workers—particularly many workers in the West—who continued to make more radical demands and to embrace more militant tactics. The result was precisely the sort of class warfare that our national myths used to tell us was unknown in the United States. And nowhere was that warfare more vividly displayed than in the events surrounding the assassination of Frank Steunenberg.

Almost from the moment Steunenberg's body was flung across his front yard, the thoughts of his friends and family turned to an event that had occurred five years earlier, during Steunenberg's governorship. In 1900, a bitter battle between miners and mineowners erupted in the perennially troubled Coeur d'Alene silver mines of Idaho, a battle marked by the dynamiting of the offices and the machinery of the mining company. Steunenberg declared martial law and sent a contingent of troops into the region. The soldiers abruptly rounded up nearly 1,000 miners—snatching some of them from family dinners—and herded them into an empty barn and a group of boxcars. Many of them remained there for weeks, even months, without formal charges being filed against them, and in conditions so primitive that several workers died of exposure and malnutrition.

That empty barn and those boxcars came to be called "the bullpen" by the workers who were imprisoned in them; and among miners throughout the West the "bullpen" of Coeur d'Alene became a symbol of the viciousness and oppressiveness of capital. To their union, the Western Federation of Miners (WFM), it was a crime that cried out for vengeance. (That black troops had been part of the force that created and policed the bullpen only increased the sense of outrage among the all-white miners.) Almost everyone assumed that the assassination in Caldwell was a form of retribution for the brutality of the Coeur d'Alene bullpen.

Two events in the early days of the investigation into the Steunenberg assassination set the course for the dramatic story that was to follow. One was the decision by state and local authorities to employ the services of the Pinkerton detective agency, the most famous organization of private detectives in the country, and one widely known for its services to employers in battling strikes and weakening unions. The presence of the Pinkertons all but ensured that the investigation of Steunenberg's murder would become part of a larger effort to discredit the labor movement in the West, and the WFM in particular. The second event was the arrest a few days after the bombing of the actual murderer: a hale-fellow-well-met who called himself Harry Orchard. His real name, it turned out, was Albert E. Horsley (though he remained known as "Orchard" throughout the trial), and he had a long association with the WFM and its leaders. Very soon after his arrest, Orchard informed authorities that he had killed Steunenberg under orders from the president of the WFM, Charles Moyer, and its flamboyant secretary-treasurer William Haywood, known to workers as "Big Bill" and founder of the radical Industrial Workers of the World (or "Wobblies").

By now the most famous Pinkerton of them all had taken control of the case.

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James McParland was a figure of nearly mythical proportions for his well-publicized exploits against criminals and labor radicals, a man who was already the subject of popular children's books and lurid biographies. State and local prosecutors, and even the governor of Idaho, largely took their instructions from him. He was a law unto himself. Orchard's uncorroborated testimony was not enough to permit Idaho authorities to extradite Haywood and Moyer from their homes in Colorado. So McParland organized a private posse to kidnap the two men and a third WFM leader, George Pettibone, in Denver (where Haywood was found in bed in a rooming house with his wife's sister) and carry them back to Idaho on an unscheduled, heavily guarded night train. WFM leaders protested the abduction and took their case all the way to the Supreme Court, but to no avail. Once the three men were in Idaho, they were indicted for murder and scheduled for trial. McParland continued to call most of the shots to the end. What looked on the surface like the investigation and trial of a murder was also part of a campaign—planned and financed by mine-owners and orchestrated for them by McParland—to destroy the WFM.

But the miners were not without resources of their own. They had a large and militant union whose members harbored an unusual degree of bitterness toward their employers. They were at least as willing to resort to violence as the mineowners themselves. The WFM had a broad swath of popular support from working people of all kinds. They benefited from a lingering sense of public outrage at the heavy-handed methods of mineowners and their government allies against earlier labor actions in the mines. And they imported to Idaho for the great trial in 1907 the most famous defense attorney in America, Clarence Darrow. If the prosecution was determined to stop at nothing to convict the union leaders and destroy the union, the defense was equally determined to discredit and defeat the prosecution at any cost.

The trial that followed brought credit to no one. More importantly, it revealed starkly and seamily the enormity of what the combatants on both sides thought was at stake. McParland and his associate Charlie Siringo (known as the "cowboy detective," and one of Pinkerton's most important operatives in the Coeur d'Alene battles of the 1890s) sought to doctor evidence, to suppress witnesses, and to shape the press coverage of the case. The Pinkertons even planted an agent (known to them as "Operative 21") within the defense team to provide them with intelligence about the opposition. Frank Gooding, the fecklessly ambitious governor of Idaho, meddled constantly in the case, often on instructions from McParland. William E. Borah, the lead prosecutor, ran the case with one eye cast on the mineowners (his principal employers and supporters for years past) and the other on his campaign for the United States Senate, to which he was elected during the preparations for the trial. President Theodore Roosevelt, whose hatred of those he considered anarchists and labor radicals was almost boundless, bombarded the governor, the prosecutors, and almost everyone else in Boise involved in the case with unsolicited advice and unwanted instructions; and he even intervened directly (with extraordinary impropriety) in the deliberations of the Supreme Court when the justices were deciding how to rule on the kidnapping of Haywood, Moyer, and Pettibone.

Lukas's portrait of the ferocious hatred with which "respectable" Idaho—and much of "respectable" middle-class America—viewed the defendants, the WFM, and the presumed "radicalism" of the labor movement is vivid and harrowing. But class hatred worked both ways. The WFM and its supporters were as energetic as the mineowners in attempting to win the war of public opinion, even occasionally accusing their opponents of killing Steunenberg themselves in an effort to frame the union. Darrow conspired to change the testimony of a key prosecution witness named Steve Adams, a WFM member who claimed to have helped Orchard plan the assassination and to have known of Haywood's involvement. Adams ultimately repudiated his confession. Darrow had mobilized Adams's wife, his brother, and others to persuade him to change his testimony and had, apparently, attempted to frighten him with the possibility of WFM retribution. But there is good reason, Lukas argues, to think that Darrow (abetted by the WFM) may also have bribed Adams to recant. After all, as a friend later said of him, Darrow was known as "Old Necessity," because "necessity knows no law." The defense was as certain as the prosecution of the righteousness of its own cause, as willing to use whatever methods served it, as convinced as the state that it was engaged in a battle that was, to use the phrase William James coined at about the same time, a "moral equivalent of war."

As in *Common Ground*, his celebrated study of the Boston busing crisis of the 1970s, Lukas did prodigious and exhaustive research before writing this book. That research took him deep into the most obscure details of the Steunenberg case, but also into the broad swath of early twentieth-century social history through which the ripples of the case flowed. And as in *Common Ground*, Lukas departs often from his central story to explore the many areas of American life with which it somehow intersected. Some of these excursions take readers into issues that are directly connected to the trial: the contemporary cult of the private detective, the careers of Clarence Darrow and William Borah, the history of the WFM, the character of the turn-of-the-century press. Others consider areas of American culture and society with only a glancing connection to the Haywood case: a chronicle of the role of African Americans in the military (since black troops had played a part in the events at Coeur d'Alene); the early history of baseball (since the great pitcher Walter Johnson was in Idaho in 1907 playing on a local team); the story of early twentieth-century American theater (since Ethel Barrymore happened to be performing in Boise during the trial and attended one of its sessions); the growth of modern psychology (since the famous psychologist Hugo Munsterberg played a small role in the trial); the history of the early conservation movement (since Gifford Pinchot, the chief forester of the United States, advised both Roosevelt and Borah on some of their tactics).

These digressions from the central story, some of them quite long, will undoubtedly test the patience of some readers, who may be tempted to skip through them to get back to the main narrative. Taken together, however, they provide an extraordinarily rich and varied portrait of society and culture at this critical juncture in American history: a moment when the nation stood poised uneasily between its simpler, more agrarian past and its booming, turbulent urban-industrial future. Lukas describes his book as "both a narrative of a sensational murder case and a social tapestry of the land in which it unfolded." That combination is the great strength and the occasional weakness of this vast, rich book.

The Haywood trial lasted three months, amidst an orgy of legal and political intrigue, press sensationalism, and abuses of power. When it was over, each side was so exhausted and so frantic that there were enmities within each camp almost as deep as the enmities between them. The prosecutors with the weight of "respectable" opinion behind them, were arrogantly confident even though Borah was himself indicted

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for timber fraud before the trial ended by a political rival with ties to the Haywood defense team (he was ultimately acquitted); and even though Borah and the other prosecutors were convinced that the defense had engaged in jury tampering. Darrow was so discouraged that, as he walked into the courtroom with Haywood to hear the verdict (which came only a day after the jury's deliberations began), he placed an arm around the broad shoulders of his client and said, "Bill, old man, you'd better prepare yourself for the worst. I'm afraid it is against us, so keep up your nerve." "Yes, I will," Haywood replied, though some observers claimed to see his lips trembling as he said the words.

There was an eerie silence as the jury filed solemnly into the crowded courtroom. Then the judge opened the envelope the jurors had handed him and said, incredulously, "There's nothing here." Finally the foreman found the correct envelope in his coat pocket and the judge read the verdict: "The defendant, William D. Haywood" was "not guilty." The jurors later claimed that they had decided for acquittal because they were unwilling to accept the uncorroborated testimony of Harry Orchard. Darrow's wooing of Steve Adams had paid off in the end.

The impassioned reactions to the verdict mirrored the impassioned feelings that had driven the trial from the beginning. There was exhilaration among miners, union leaders, and socialists—and a raucous parade through the streets of downtown Boise. (The jubilation was tempered here and there with disappointment that the acquittal had deprived the labor movement of a potentially useful martyr.) There was outrage and near despair among the mineowners, the political power structure of Idaho, and a large cross-section of influential Americans, who had considered a conviction of Haywood the best vehicle for destroying a dangerous radicalism and who saw in his acquittal ominous evidence of the power of anarchists to corrupt the legal and political process. "A good hanging spoiled," one supporter of the prosecution crudely lamented in Boise. In Washington, President Roosevelt called the verdict a "gross miscarriage of justice." Pettibone stood trial several months later and was also acquitted. Prosecutors finally dropped the remaining charges against Moyer.

Lukas's account of the events leading to this point is conspicuously even-handed, particularly in its corrosively realistic portrayal of the sordid tactics of both sides. But his sympathies, on the whole, seem to lie more with the miners and their defenders than with the prosecution. And this makes the evidence that he presents in his epilogue particularly stunning. In 1910, there was another celebrated trial of labor radicals charged with a bombing: the McNamara brothers, who were accused of dynamiting the printing plant of *The Los Angeles Times* and killing twenty-one people. Darrow was again the defense attorney. Private detectives (though not Pinkertons) again played a central role in the prosecution. Darrow soon concluded that the case against the McNamaras was so strong that a plea bargain might be the only way to save his clients from the death penalty. (Ultimately, the McNamaras did plead guilty.) But to the socialist press and the local union leaders, who were insisting that the bombing had been a conspiracy by the owners of the *Times* to discredit the left, an admission of guilt was unthinkable.

Lukas reveals that, in the acrimonious debates surrounding the fate of the McNamaras, some of the more impassioned socialist activists began threatening the defense. If the defendants admitted their guilt, it might be necessary to reveal the darkest secret of the socialist past, a secret that would, one wrote, "disgust hundreds of thousands of people with this movement." That secret,

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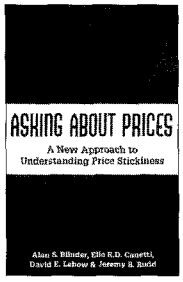
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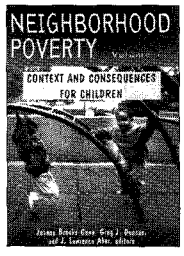

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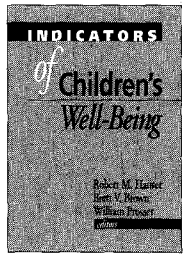

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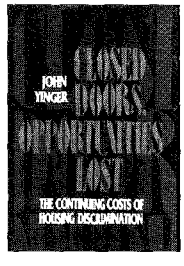

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these labor activists warned, was their knowledge that the WFM defendants in the Steunenberg case were, in fact, guilty. Lukas draws no firm conclusions from this exchange. Still, he concludes his book with a pointed question: "If ... these prominent Socialists wrote freely to one another about the guilt of Haywood, Moyer, and Pettibone, what does that tell us about who struck down the governor on that snowy night in Caldwell?"

Lukas liked to say that when he began working on *Common Ground* he thought that he was writing a book about race, but when he finished he realized that he was also writing a book about class. The tensions in Boston were driven not just by racism, but also by the shared resentments of working-class whites and working-class blacks who had been thrown together by more affluent people to solve a social problem that most of the middle class was able to evade. What struck him about the busing crisis in Boston was, above all, the impact of inequality on all the actors in that unhappy drama.

In *Big Trouble*, Lukas considers the impact of inequality again, in a much rawer and more direct way than in his previous work. Americans at the turn of the century, he says in his introduction, feared "that collisions between labor and capital were reaching a critical intensity that might plunge the nation into ruinous class war." The battles in the Rockies, he claims, marked "the moment in our national experience when we came closest to such warfare." There are other candidates for that title, of course. Still, the story Lukas tells in this extraordinary book reveals a hard, dark, oft-denied reality of American history. Despite the powerful myth that the United States is a "classless society," despite several generations of scholarship that argued that social fluidity and widely shared values largely undermined class conflict in America, we have not been immune from the ravages of inequality and class resentment. The events that Lukas so clearly and compellingly describes in this book make clear how fiercely the passions of class hatred have sometimes burned in our national past. It is a story appropriate for our present moment, as the nation struggles again with rising inequality and as the labor movement fights to restore its place in American life. And it is a fitting legacy for a brilliant writer who loved to tell stories, but who believed that those stories should tell us something important about ourselves.

ALAN BRINKLEY is the author, most recently, of *The End of Reform: New Deal Liberalism in Recession and War* (Knopf).

Incest and Idealism

BY ADAM KIRSCH

Desire
by Frank Bidart

(Farrar, Straus & Giroux, 61 pp., $20)

It is not surprising that poets today should be interested in narrating and interpreting sexual desire. Sex has become for us what nature and religion were for other times: a way to slip the bounds of the everyday, a promise of the rare experience that we know to be authentic. Yet it is an ironic effect of our fixation on desire that it has become, for us, a singularly unsuitable subject for poetry. This is not merely because sex can be as tidily absorbed into the everyday as nature and religion, and made banal. It is, more interestingly, because desire resists showing itself in poetry simply as itself.

Donne's seduction poetry, Shelley's philosophical poetry, Eliot's poetry of sexual despair, can all be said to be poetry about desire; but none of these poets wrote a book, or a poem, called simply "Desire." Shelley was certainly writing about desire in the famous dream episode in "Alastor":

> .... He dreamed a veilèd maid
> Sate near him, talking in low solemn tones.
> Her voice was like the voice of his own soul
> Heard in the calm of thought ...
> Knowledge and truth and virtue were her theme,
> And lofty hopes of divine liberty,
> Thoughts the most dear to him ...
> Sudden she rose,
> As if her heart impatiently endured
> Its bursting burthen: at the sound he turned,
> And saw by the warm light of their own life
> Her glowing limbs beneath the sinuous veil
> Of woven wind, her outspread arms now bare...

But in these lines Shelley was trying to make desire do something, to make it refer beyond itself, to make it operate as a symbol of the love of "knowledge and truth." Today, we value sexual desire so highly that we do not want it to refer beyond itself; we are reluctant to regard it as a ground for suggestion and abstraction, which for us seem only like techniques of repression or denial. We want art to give us desire itself, in all its immediacy and power. Yet this is, I think, just the wrong way to treat desire. Desire is too immediate and intractable to be simply brought into art; it needs to be *made* into art. It needs to be transformed. Desire-as-philosophy, or desire-as-pretext-for-wooing, as in Donne, or desire-as-seed-of-isolation, as in Eliot, is what is poetic.

Thus it does not bode well that Frank Bidart has made *Desire* the title of his new book. It seems to promise a misguided attempt to wrestle desire directly from life into poetry. And a reader familiar with Bidart's work has all the more reason to be wary. For Bidart's characteristic strategy is to plunge deep into the midst of psychic turmoil, his own or that of a narrative persona, on the assumption that turmoil is our most revealing and true condition. Bidart's vision of desire is unlikely to err on the side of transformation.

The book opens with several short poems, including translations from Dante and Catullus, all more or less related to the central theme. This section of the book finds Bidart in an unusually quiet and elegiac mode. Desire here is frequently desire for the absent dead, and the specter of AIDS may be present:

> two weeks before you died in
>
> pain worn out, after my usual casual sign-off
> with *All my love,* your simple
> solemn *My love to you, Frank.*

But it is with the last and longest poem in the book, the narrative "The Second Hour of the Night," that we reach its heart. The poem is a sequel of sorts to "The First Hour of the Night," from Bidart's *In the Western Night*, which appeared in 1990. After an introductory passage adapted from Berlioz's memoirs the poem becomes a retelling of the story of Myrrha, from Ovid's *Metamorphoses*: Myrrha commits incest with her father Cinyras, and is punished by exile to an island, where she is transformed into the perpetually weeping myrrh tree

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To choose such a character as the focus of a book about desire is immediately to commit oneself to a certain emphasis. For desire, as it reveals itself to most of us most of the time, is quite far from incest. To propose incest as a model of desire, then, is to imply that this unusual, even revolting situation is unexpectedly true, and somehow representative.

It is not surprising, however, that Bidart would choose such a situation as his model for desire. He is, famously, a poet of the transgressive and the revolting; his best and most celebrated poems, "Ellen West" and "The War of Vaslav Nijinsky," take as their subjects a suicidal anorexic and an insane artist. West and Nijinsky, as recreated by Bidart, share an intense spiritual longing, which leads them to a violent rejection of the everyday world. In these poems, the ordinary—food, for West; bourgeois marriage, for Nijinsky—is seen as a snare, which can only be avoided at the cost of obsession and even madness. Bidart's Nijinsky, a marvelous creation in the tradition of Browning's "Soliloquy of the Spanish Cloister," comes alive when he feels his extraordinariness most painfully:

> I have *LEARNED*
>
> my *NATURE* ...
>
> I am insane,—
> ... or evil.
>
> Today I walked out into the snow.
>
> I said to myself:
>
> *THREE TIMES*
> *YOU TRIED TO HARM YOUR WIFE AND CHILD.*
>
> I said:
>
> *LIE DOWN IN THE SNOW*
> *AND DIE. YOU ARE EVIL.*

This is a powerful example of dramatic monologue, and Bidart's main achievement is to have developed a style—erratic, unstable, the sound of the speaking voice as it cracks—that can accommodate his wild narrators. The Myrrha poem is clearly of a piece with "Nijinsky" and "West": it takes an obsessed and rather diabolical character as its subject, and uses her to illustrate human passion at its height.

So Bidart is in the tradition of Browning; but his departures from Browning are significant. In the background of Browning's monologues, there is always the sense that the poet is play-acting; the pleasure to be had from a poem such as "My Last Duchess" lies in the deliberate, invented quality of its terror. In this, Browning is unlike a poet such as Eliot, whose Prufrock is somehow, though a persona, meant to be a sincere voice of the poet, a version of him. The oddity of Bidart's monologues is that he combines the outrageous narrators of Browning with the authorial sincerity of Eliot. Ellen West and Vaslav Nijinsky can be read as stage figures, giving us a frisson of terror; but they do not ask to be read that way. The singlemindedness and thematic consistency of these poems indicate that they are versions of the poet's own mind.

Bidart identifies with the deep, violent struggle of his narrators, and tries to make his readers identify with it, too. To a considerable extent, he succeeds. "The War of Vaslav Nijinsky" is one of the most powerful poems produced by Bidart's generation; in a time notable for the timidity of its poetry, the audacity of this poem makes it all the more valuable. Indeed, in *In the Western Night*, Bidart included a long interview as an appendix: it was a defense of his aesthetic, such as only the most challenging poetry demands, or can support.

That interview helps us to understand why Bidart is drawn to such extreme, repellent characters as his models for exploring human experience. Discussing his poem "Herbert White," a monologue spoken by a murderer, Bidart explains that it is "ordinary life" which his poetry struggles against:

> There is a scene in "Herbert White" in which he is looking out the window of his room at home, and feels suffocated by the fact that everything is "just *there*, just *there*, doing nothing!/not saying anything!"... It's of course me feeling that. So much of our ordinary lives seems to refuse us—seems almost dedicated to denying us—knowledge of what is beneath the relatively unexceptionable surface of repeated social and economic relations. The artist's problem is to make life *show* itself.

This, clearly, is the goal of "The Second Hour of the Night." The poem's message is explicit: incestuous desire, freighted with guilt and prohibition—as one of the poem's refrains has it, "malignant in the eyes of gods and men"—is authentic experience, life "beneath the surface." In "The Book of the Body," from the book of that name that appeared in 1977, Bidart wrote: "Sex the type of all action." Now he goes further, implying that incestuous sex is the type, even the ideal, of all sex. Exiled on her island, Bidart's Myrrha reflects on the more ordinary desire of her peers:

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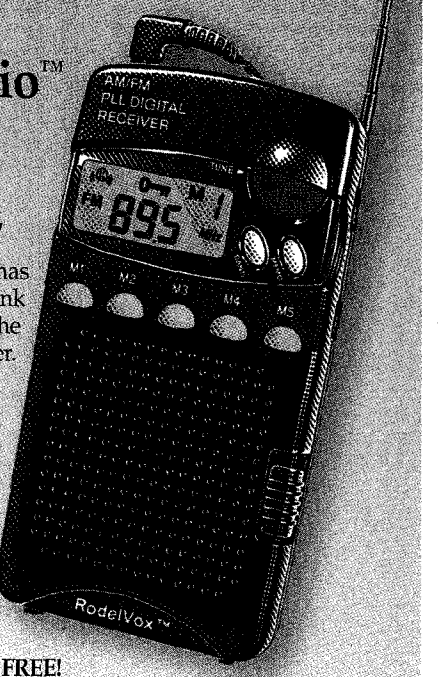

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Her friends live as if, though what they
desire is entirely what they are
expected to desire, it is they who desire.

If what you desire is "expected," you are not really the one desiring it; you suffer from a kind of sexual false consciousness. Later in the poem, this contempt is shaded with pity:

O you who looking within the mirror discover in
gratitude how common, how lawful your desire,

before the mirror
anoint your body with myrrh

precious bitter resin

Myrrh, the legacy of Myrrha, is precious and bitter: precious because bitter. And so, Bidart seems to say, is desire itself.

In the poem, Bidart uses his trademark style to great effect, evoking the fevered, nightmarish quality of Myrrha's desire:

As Myrrha is drawn down the dark corridor
toward her father

not free not to desire

what draws her forward is neither
COMPULSION nor FREEWILL:—

or at least freedom, here *choice*, is not to be
imagined as action upon

preference: no creature is free to choose
what

allows it its most powerful, and most secret,
release:

I fulfill it, because I contain it—
it prevails, because it is within me—

it is a heavy burden, setting up longing to
enter that
realm to which I am called from within...

As Myrrha is drawn down the dark corridor
toward her father

not free not to choose

she thinks, *To each soul its hour.*

The hour of transgression is the soul's hour, the hour of its "fulfillment"—or so Bidart tells us.

But is it, really? It's always dangerous to deny such an assertion; like any well-made poetic statement, like Blake's sexual utopianism or Eliot's sexual loathing, it can be believable without being true. Bidart's work to date, of which *Desire* is a recognizable extension, has defined a consistent sensibility, which is more than most poets accomplish. And yet one wonders about the model and the ideal proposed in Bidart's book. Is the exploration of guilt, madness, and incest the most truthful kind of poetry? Are these the ways that poetry best shows us who and what we are?

The answer can be found, I think, in Bidart's evident affinity with the Romantic tradition in English poetry. In the work of the great Romantic poets, one is often troubled by a sense of forcing. These are poets obsessed with the infinite, the unattainable; and for that reason there is an almost muscular strain in their poetry, a constant attempt to see beyond the everyday into a dimly apprehended perfection. This often takes the form of an intense scrutiny of the poet's own past, as he searches for the moments in which that ideal has revealed itself: Wordsworth's "spots of time," Eliot's "moment in the rose garden."

But the effect of this strain can be to awaken the reader to its inherent futility. The Romantic poets are constantly alive to the flickering of their own emotional state, registering each move toward fulfillment and each drop away from it. But if one comes to doubt the possibility of absolute fulfillment, this incessant self-awareness seems like a costly delusion. It is as if the poet is constantly scanning the horizon for a peak that does not exist, and in the process loses sight of the terrain around him. Large areas of human experience and emotion are lost to such poets, because they are always looking past the actual.

As the examples of Wordsworth and Eliot attest, this has not been an altogether unproductive stance for poetry. And it is probably impossible, now, to be wholly free of the Romantic notion of the ideal. Bidart, certainly, is not likely ever to be free of it. "Ellen West" and "Nijinsky" present the longing for the ideal in a peculiar, extreme form; his earlier, more autobiographical poems, such as "California Plush" and "Golden State," follow in the tradition of Wordsworth, obsessively scanning the poet's own past to find the moment, the key, which will explain it all. Indeed, one of Bidart's achievements has been to combine this Romantic yearning toward his past with a Freudian awareness of it: "Confessional" (from *The Sacrifice*, 1983), in which a psychoanalytic session becomes a meditation on the rapture of Augustine and Monica, is one of Bidart's finest poems.

Still, this Romantic strain involves a falsification of lived experience. In Bidart, the falsification is most evident precisely in his choice of gruesome, unstable characters as his personae. It appears that the extremities of guilt, of spiritual longing, of transgressive desire, which seem to Bidart to lie just "beneath the surface" of our "ordinary lives," are believable *only* if they are expressed in an alien voice. The life which the poet actually lives does not provide the images and situations needed to express his deep sense of incompleteness, his longing for something higher; so he is driven to the grotesque.

This is borne out by an examination of Bidart's own progress as a poet. His early, detailedly autobiographical poems, wracked with guilt over what seem like mundane problems (his relationship with his parents and his emergent homosexuality), remain clotted and overly personal:

What should I have done? In 1963
you wanted to borrow ten thousand dollars
from me, so that we could buy cattle
together, under the name "Bidart and
Son"...

It is only with "Ellen West," from *The Book of the Body*, and even more with *The Sacrifice*, that Bidart finds his method, transforming personal guilt and pain into something strange and mythical—in the case of Myrrha, literally mythical.

It is now a commonplace that myth is a kind of truth; but surely it is also a kind of falsehood. Statements that seem quite plain, coming from the poet himself gain a magical persuasiveness when they are recast as myths. In "The Book of the Body," Bidart writes:

—So many
infatuations guaranteed to fail before they
started,

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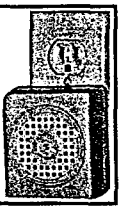

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terror at my own homosexuality...

In *Desire*, on the other hand, we have:

...no creature is free to choose what
allows it its most powerful, and most secret,
release:

I fulfill it, because I contain it—
it prevails, because it is within me—

The second statement is clearly a product of the same emotion that inspired the first. And yet, because it is cast in dramatic, narrative form, it is made to seem grander, more universal. It suggests that sexual desire is, of its nature, subversive and uncontrollable. Even more important, the Myrrha story presents such desire as the best means of self-discovery, of authenticity. Recall how Myrrha pities her companions' pallid, conventional desire.

Thus while Bidart's poetry is, on the surface, about unpleasant things and people—monomaniacs, anorexics, transgressors—his treatment of them is not at all repellent; it is positively glamorous. His ostentatious violation of decorum and conventional morality is not shocking to the reader, but actually flattering to him, because it suggests that he, too, contains dark and tumultuous depths. The awe that the reader feels at Myrrha, or Nijinsky or West, he is allowed to feel also at himself.

But the Romantic impulse that we see at work in *Desire* is not the only strain in modern poetry. There is another tradition, one more fruitful than the endless strivings of the Romantics. This other poetry finds human nature difficult, intractable, at times unbearable—and sees this as an occasion not for awe, but for thought and doubt and even despair. It attracts the reader not by flattering him, but by showing him how another person has confronted the problems and the limitations that reader and poet share. It is interested in the extreme moments in human life, of course, but it is skeptical of the Romantic tendency to isolate and to exaggerate them. Most important, it recognizes that we live most deeply when we live *in* the world, not when we are straining to see beyond the horizon or beneath "the unexceptionable surface."

The poets of this tradition comprise a counter-canon to the Romantics: they include the Tennyson of *In Memoriam*, Matthew Arnold, the under-appreciated George Meredith, Thomas Hardy, Philip Larkin, and late-period Robert Lowell. These poets share a tendency to write *in propria persona*, to maintain a self-consciousness that leads them to irony, to recognize their own flaws. (This should not be confused with an extravagance of self-condemnation—as in Bidart's "malignant in the eyes of gods and men"—which is just another form of Romantic egotism.)

Desire is the latest installment in Bidart's quest for intensity of feeling, which demands that he journey ever farther from the everyday and the personal. Now the journey has brought him to incest, which is (one hopes) about as far as it can go. He asks us to see a true reflection of our inner lives in Myrrha, but it is difficult to assent. Our natures are smaller than hers, more bound up in the problems and the responsibilities and the gladnesses of the common world. The poet who renounces that world for a dark and glamorous myth has made a bad bargain. •

TRB *continued from page 4*

argues that the expansion of the parties would dilute the influence of wealthy donors. But the recent fund-raising scandals show that Thomas is engaging in wishful thinking.

Finally, there are John Paul Stevens and Ruth Bader Ginsburg, who are most inclined to defer to Congress when it comes to reform. In his dissenting opinion in the *Colorado* case, Stevens questioned *Buckley*'s notion that only Congress's interest in avoiding corruption was compelling enough to justify spending caps. Congress, both Stevens and Ginsburg asserted, also has an "important interest in leveling the electoral playing field by constraining the cost of federal campaigns." This is a venerable argument, but the idea that government can silence the speech of some to enhance the speech of others is, as the *Buckley* Court recognized, highly controversial.

So there's one group of justices willing to uphold *Buckley* but unwilling to abandon the archaic distinction between contributions and expenditures; a second group willing to overturn *Buckley* but unwilling to recognize the fear that the parties have become conduits for corrupting their candidates; and two dissenters willing to justify limits on the questionable ground that government has an interest in purifying the content of political debate. Is there a constitutional alternative that has a chance of getting five votes?

Maybe. Not long ago in the *Columbia Law Review*, Vincent Blasi of Columbia Law School called on the Court to recognize that Congress has a compelling interest in "candidate time protection." The Constitution guarantees a "republican form of government"; but, as Blasi argued, and as President Clinton's relentless fund-raising schedule confirms, "the quality of representation" suffers when lawmakers have to spend more time with donors than constituents.

Blasi thinks that Congress's interest in protecting the time of candidates should authorize it to limit the overall amount of money that can be spent on an election campaign. Jay Rockefeller might reply that since he doesn't have to spend any time raising money, he would save more time if there were fewer restrictions. But since most politicians aren't Jay Rockefeller, Blasi's proposal should authorize more meaningful limits on party expenditures than *Buckley* allows.

The idea that "candidate time protection" is a good enough reason to limit campaign spending might appeal to five justices. It would leave President Clinton more time to run the country. But unless Congress resurrects campaign finance reform, we'll never know for sure.

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WASHINGTON DIARIST

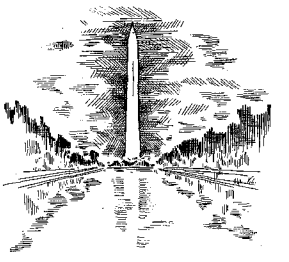
Bus boy

JUST BEFORE THE GREYHOUND BUS from Pittsburgh pulled into the station in northeast Washington, a black man in his early 20s stood up in the aisle and punched the white woman in the seat next to him. As his fists flashed back and forth, the mostly black passengers started cheering. I peered around, uncertain what to do, more than a bit scared, and wishing I had driven.

THE PROBLEMS STARTED BACK IN Harrisburg. A tall black teenager wearing a baseball cap and baggy shorts asked a scraggly, blonde-haired woman in her 40s to slide over. Pointing to a white woman sitting behind her, the blonde ordered, "You switch seats with him." She did. But by the next stop in Yorktown, the seat beside her again opened and she once more attempted to deny it to a passenger. As they argued, the bus driver, a black man in his mid-50s, stopped and strode into the aisle. "M'am, this gentleman has bought a seat," he said. "This isn't about color. A stretch of highway separates Yorktown from Washington. That's where you're going to be if you don't give up the seat." Another passenger, standing in the aisle, chanted, "Welcome to the '90s, lady." After a long standoff, the woman relented, and the episode seemed over. The bus driver sat back down, and soon enough the passengers were griping about the traffic jam on the freeway. I glanced one more time at the lady. Her face was still red with indignation, and I thought of Flannery O'Connor's short story "Everything That Rises Must Converge." Finally, I nodded off, only to wake up a few hours later to see the young man pummeling his reluctant seatmate.

THE INCIDENT WAS ONLY THE most visible racial brawl I witnessed recently in Pittsburgh, the city where I grew up. This summer, at the David Lawrence convention center only a few miles away, the members of the NAACP tussled over school busing at their annual meeting. Many members were discussing the alleged police brutality toward Jonny Gammage, a black man who was related to former Pittsburgh Steeler Ray Seals and who was halted by police in the lily-white suburb of Brentwood around 2 a.m. on U.S. 51 for erratic driving. He allegedly emerged from his sports car holding a cell phone. The policemen claim they thought it was a gun. They jumped on Gammage. A few minutes later, he died, apparently suffocating from the pressure applied to his neck and back. Local authorities did not convict the officers involved but the NAACP is calling—correctly in my view—for federal prosecution.

LIKE MOST CITIES MADE UP OF immigrants, Pittsburgh has had more than its share of racial tensions. Blacks and whites have always lived in rigidly separate areas and in the late 1960s, during the great urban riots, Pittsburgh's northside went up in flames. A decade later, the local school authorities engaged in a mild form of racial engineering, building a massive, prison-like complex roughly between a prosperous white neighborhood called Squirrel Hill and a black slum known as Homewood. White and black students, including me, were bused in from all over the city. The building had no windows and lacked walls separating classrooms. This was what was known, in liberal argot, as "open classrooms."



THE PHYSICAL STRUCTURE OF THE school was itself supposed to promote a harmonious racial atmosphere. The opposite occurred. Without any structural restraints, no boundaries existed. Students didn't wander the corridors; they drifted from space to space. Overwhelmed by the mass of students, teachers soon gave up trying to enforce order. The thin folding partitions that occasionally served as walls would come crashing down during fights. And in this sense, the room was indeed a melting pot: blacks fought blacks, whites fought blacks, whites fought whites. It was a democracy of violence.

EVEN THE PROJECTORS RUNNING the educational establishment seemed to have a few twinges about their grandiose plans because they soon tried another liberal program known as "Enrichment" to ameliorate things. Enrichment was supposed to give you a chance to challenge your academic and creative powers. You were supposed to get special attention from teachers in small classes. To enter the program, you had to take an IQ test and, upon successful completion, you earned a day-long reprieve from the main school, which meant taking another bus ride on Fridays to a traditional school with big windows. Like most students, I strived to get in the program less for the grades than for an excuse to leave the building. The program, though, stirred up resentment among the black students, since almost all the students trooping out on Friday mornings to become enriched were white.

THESE MEMORIES WERE TRIGgered not only by the flare-ups in Pittsburgh, but also by a production on the northside of the city by the Pittsburgh Public Theater of August Wilson's play *Seven Guitars*. Wilson, TNR readers may recall, was embroiled in a debate about a year ago with theater critic Robert Brustein over whether black plays should be performed and watched exclusively by blacks. Wilson claimed they should. Most of the people watching his play that evening, though, were of various hues, predominantly pink.

WILSON'S SPARKLING play, which is set in Pittsburgh's Hill District in 1948, does have a powerful resonance. The elegant dress and vivid language of the protagonists provide a reminder of the wasteland of inner-city life today. Suits and ties were the order of the day in the 1940s. The play, which was acted with tremendous conviction, centers largely on two characters, Floyd, a talented singer and hustler, and Hedley, a stooped old man who sells chickens and turkeys and has his machete stashed away in his burlap apron ready—in his words—"for the white man when he come to take him away."

DESPITE THE RESIDUE OF ANGER, Wilson romanticizes black community life—a life centered, in this case, on food and drink and memories of Joe Louis and New Orleans jazz great Buddy Bolden. It is an appealing vision. But, it seems to me, also a dangerous one—and one that not only blacks share today. Whites and blacks and Asians and Cablinasians and Hispanics seem to want to have it both ways: portraying themselves as under siege by the other and, at the same time, their community as thriving in its separateness.

THERE IS NO SEPARATENESS though, on a bus, and I suppose that is why so many writers and directors, concerned with race, set their scenes there—most recently Spike Lee's *Get on the Bus* which featured a brawl on a ride to the Million Man March. On buses, there are no partitions, which is why busing is on the way out. Americans may see the U.S as a country without limits, but the bus is one place where there's no escape.

JACOB HEILBRUNI

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Where We Stand

A commentary on public education and other critical issues

Two Wrong Solutions

By SANDRA FELDMAN, President
American Federation of Teachers

Last January President Clinton announced a new national education goal: Every child will read well by the end of third grade. Frankly, I was embarrassed. Why does the president of the wealthiest, greatest nation in the world have to make universal third-grade literacy a national goal? And what did he mean, anyway, given that American fourth graders, on average, were in the top tier on the 1992 International Assessment of Reading?

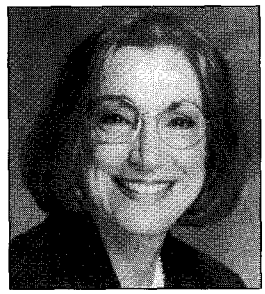
The answer to both questions is that too many of our *poor* children—and in America more than 20 percent are poor—leave third grade without being able to read well. Indeed, many go on to graduate from high school without solid skills in reading or in writing and math. AFT members have been telling us that one reason for this shameful situation is *social promotion*—the practice of passing students on to the next grade even though they have not mastered the current year's work. We decided to research the issue.

Passing on Failure?

Do school districts advocate promoting students regardless of their achievement? Not exactly. We looked at policies from 85 districts, including the 40 largest in the U.S., and none actually calls for social promotion. However, most put all kinds of restrictions on which youngsters you can hold back and when and how often. So while districts may not advocate social promotion, most have policies that make it inevitable.

Most districts do not make use of specific grade-by-grade standards for what kids are supposed to learn. When "continuous progress" (or something equally vague) is the main criterion for promotion, how do you justify holding a student back? What's more, teachers—the ones who really know the students—seldom make the final decision about promotions. The last word usually belongs to the principals. And they may hesitate to fail students because they don't want the school to look bad or they fear pressure from parents, or because they have no educational options available.

Those opposed to social promotion often think the answer is simple: Hold back unprepared students until they're ready. This policy, called *retention*, sounds tough and sensible—and if I had no other choice, I'd choose retention over social promotion. But if you consider retention to be a brave new idea that will force students to measure up, you're in for a surprise. We found that



The debate over whether to pass students to the next grade or hold them back ignores the real issue.

retention is as common in our schools as social promotion. More than 15 percent of students are held back every year, and in many large urban districts, half the kids entering kindergarten are likely to be retained at least once before they leave school. The kids who can't read, write or count when they graduate have probably been retained *and* socially promoted.

The truth is, both policies are mechanical responses to an educational problem. Districts have all kinds of rules and regulations about promotion and retention. The scandal is how little attention they give to preventing failure in the first place. If getting kids to achieve is our aim, social promotion and retention are both beside the point. But there are obvious things we should do:

- *Put an end to guesswork about student achievement.* Establish standards for the various grades, with curricula and assessments to go along with those standards, so teachers and parents know how children are progressing.
- *Take an "intensive care" approach to students who are falling behind.* Jump on the problems immediately, using proven techniques to get students quickly back on track.
- *Make sure those who teach reading are trained in the latest and best techniques.* Teacher preparation is often woefully inadequate in this area, especially when it comes to teaching our most vulnerable youngsters.
- *Help prevent failure at the start*—by making high quality early childhood education more available.

These practices and programs are taken for granted in other advanced civilized nations—and in most of our middle-class schools. The trouble is, too many adults in our society have given up on America's poorest youngsters. When kids face terrible problems, they need extra help; instead, our neediest students get less. Then, either they or their teachers—or both—are blamed for failure. What's the solution? It's neither social promotion *nor* retention. It's making sure that all our kids get the commonsense and basic things they need to be successful at learning. ■

For a copy of AFT's report on social promotion, send $5 to AFT Order Dept., and ask for item 249.

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BECAUSE WE'LL RECYCLE OVER 200 MILLION PLASTIC BOTTLES THIS YEAR, LANDFILLS CAN BE FILLED WITH OTHER THINGS. LIKE LAND, FOR INSTANCE.

We can't make more land. But we can do more to protect what we have. In fact, this year Phillips Petroleum's plastics recycling plant will process over 200 million containers. This effort will help reduce landfill waste and conserve natural resources. And that will leave another little corner of the world all alone. At Phillips, that's what it means to be The Performance Company.

PHILLIPS PETROLEUM COMPANY

PHILLIPS 66

For an annual report on Phillips' health, environmental and safety performance, write to: HES Report, 16 A1 PB, Bartlesville, OK 74004, or visit us at www.phillips66.com.

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